

# The Lincoln Record Society

VOLUME 25

## Minutes of Proceedings

IN

## Quarter Sessions

HELD FOR THE

Parts of Kesteven in the County of Lincoln

1674—1695

Volume I

EDITED BY S. A. PEYTON



1931









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27. REGISTRUM ANTIQUISSIMUM OF LINCOLN CATHEDRAL, Vol. I.

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The yearly membership subscription is one guinea. Information about the Society will be supplied by the Secretary and General Editor, Canon C. W. Foster, Timberland Vicarage, Lincoln.

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PUBLICATIONS  
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**Lincoln Record Society**  
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1910



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VOLUME 25

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FOR THE YEAR ENDING 30TH SEPTEMBER, 1928



# Minutes of Proceedings IN Quarter Sessions

HELD FOR  
THE PARTS OF KESTEVEN  
IN THE  
COUNTY OF LINCOLN

1674—1695

Volume I

EDITED BY  
S. A. PEYTON

PRINTED FOR  
THE LINCOLN RECORD SOCIETY  
BY  
J. W. RUDDOCK & SONS, LINCOLN

1931

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## PREFACE

These volumes of Quarter Sessions Minutes could not have been printed but for the co-operation and courtesy of the Aldermen and Councillors of the Kesteven County Council, who most generously placed the material at the disposal of the Society. To them the warmest thanks are due. Grateful acknowledgement must also be made of the kindness of the late Mr A. D. Piper, the Clerk of the Peace and Clerk of the County Council, who gave every facility for the transcription of the Minute Books.

It is to be regretted that no files of precepts, recognizances, informations and examinations, jury lists, or presentments, have survived to supplement and amplify the Minutes<sup>1</sup>. The Minutes now printed are contained in three volumes which were rebound sometime early in the last century<sup>2</sup>. The contents of the books have been printed in full, save for the dating formula, which also records the names of sitting justices<sup>3</sup>; and, where dots indicate omissions, in order that repetition might be avoided. In Book III, when a case is repeated in several sessions, only the first entry is rendered as in the original: while for succeeding entries an English abridgement is employed.

The use of the vernacular for the official documents of Sessions, which became somewhat general in the time of the Commonwealth, unhappily was discontinued at the Restoration. As will be seen, the Latin of the clerks who compiled these records was barbarous and corrupt. Grammar is defective; there is no uniformity in style, *pro consimili* and *pro consimile* for instance being employed indifferently, while genders are ignored, e.g., *ordo facta*. Lapses of this description are so numerous that it has not been thought worth while always to repeat *sic*. In the printed text capital letters have been used as sparingly as possible, although in the original every substantive begins with a capital. F has been substituted for ff.

When I promised to edit the Minute Books, I had no knowledge of the heavy professional work which was to absorb so much of

<sup>1</sup> Excellent examples of such documents may be found in the *Quarter Sessions Records of the County of Northampton* (Northampton Record Society).

<sup>2</sup> Volume one measures 9½ by 7 inches, volume two 11¾ by 7½ inches, and volume three 14½ by 9¼ inches.

<sup>3</sup> The full text is given for the first session in Book One.

my time during the next three years, and it seemed sometimes as though the Quarter Sessions Records would never be completed. In this predicament, my friend, Miss L. M. Marshall came to the rescue, and heroically, she has borne the brunt of the heavy work of transcription, and of compiling the Index. Her self-effacing help I find it difficult to acknowledge adequately.

The thankless task of reading through the proofs has been undertaken by a member of the Lincoln Record Society, Mr George S. Gibbons, to whose care and scholarship much is owing. Professor F. M. Stenton has repeatedly given advice, while, finally, it must be confessed that in the preparation of these volumes, the indulgence of Canon Foster has been often tried. His constant kindness and assistance are gratefully recorded.

S. A. PEYTON

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27 *October*, 1931

# CONTENTS

	<i>Page</i>
PREFACE      -      -      -      -      -      -      -      -	iii
CONTENTS      -      -      -      -      -      -      -      -	v
ABBREVIATIONS AND EXPLANATIONS      -      -	vii
INTRODUCTION      -      -      -      -      -      -      -      -	xiii
The Sheriff in the seventeenth century      -      -      -	xiv
His duties      -      -      -      -      -      -      -	xv
The Courts of the Sheriff      -      -      -      -      -	xvi
Diminution of his powers      -      -      -      -      -	xviii
Sheriff's Bailiff      -      -      -      -      -      -      -	xix
The County Gaol      -      -      -      -      -      -      -	xxi
The Coroner      -      -      -      -      -      -      -	xxiv
Justices of the Peace      -      -      -      -      -      -      -	xxv
The Commission      -      -      -      -      -      -      -	xxvii
The Oaths      -      -      -      -      -      -      -	xxix
The number of Justices      -      -      -      -      -      -	xxx
Their remuneration      -      -      -      -      -      -      -	xxxi
Their termination of office      -      -      -      -      -      -      -	xxxii
Their functions      -      -      -      -      -      -      -	xxxiii
The Lord Lieutenant      -      -      -      -      -      -      -	xxxvi
Custos Rotulorum      -      -      -      -      -      -      -	xxxvii
The High Constable      -      -      -      -      -      -      -	xxxviii
His duties      -      -      -      -      -      -      -	xlii
The Petty Constable      -      -      -      -      -      -      -	xlv
His duties      -      -      -      -      -      -      -	l
The Tithingman      -      -      -      -      -      -      -	liii
The Churchwardens      -      -      -      -      -      -      -	lv
The Overseers of the Poor      -      -      -      -      -      -      -	lvi
The Surveyor of Highways      -      -      -      -      -      -      -	lvii
The minor Parish Offices      -      -      -      -      -      -      -	lvii
The Leet      -      -      -      -      -      -      -      -	lviii
Watch and Ward      -      -      -      -      -      -      -	lix
Hue and Cry      -      -      -      -      -      -      -	lxi
Justices' Warrants      -      -      -      -      -      -      -	lxiii
The Recognizance      -      -      -      -      -      -      -	lxiv
Surety for the Peace      -      -      -      -      -      -      -	lxvi
Release of the Peace      -      -      -      -      -      -      -	lxviii

	<i>Page</i>
Quarter Sessions	lxi
The Precept	lxx
The Juries	lxx
Who should attend Quarter Sessions ?	lxxiii
Procedure	lxxiv
Bills of Indictment	lxxiv
Punishments	lxxvii
Six weeks Sessions	lxxviii
Special Sessions	lxxix
Monthly Meetings	lxxx
County Rates	lxxx
(a) Rates for the relief of Maimed Soldiers	lxxx
(b) Rates for the King's Bench and Marshalsea	lxxxiii
(c) Rates for the relief of Poor Prisoners	lxxxv
Houses of Correction	lxxxv
The Master	lxxxvii
Equipment	lxxxviii
County Bridges	lxxxix
Highway Repair	xc
Poor Relief	xvi
Cottages	c
Settlement	ciii
Vagrancy	cv
Bastardy	cviii
Regulation of Wages	cx
Statute Sessions	cxii
Recusancy	cxiv
The Justices and Recusancy	cxvi
Nonconformity	cxx
The Declaration of Indulgence, 1672	cxxv
Attitude of Parish Officers	cxxvii
The Quakers	cxxviii
APPENDIX A: THE POPULATION OF PARISHES IN KESTEVEN	cxxx
APPENDIX B: JUSTICES OF THE PEACE IN KESTEVEN	cxxxix
PROCEEDINGS IN QUARTER SESSIONS:	
BOOK I: Michaelmas 1674 to Midsummer 1683	1-160
BOOK II: Michaelmas 1683 to Midsummer 1686	161-284
BOOK III: Michaelmas 1686 to Michaelmas 1695	285-496
INDEX PERSONARUM	497
INDEX LOCORUM	533
INDEX LOCORUM IN COMITATIBUS DIVERSIS	542
INDEX RERUM	543

# ABBREVIATIONS AND EXPLANATIONS

## SUPERIOR LETTERS

c	-	-	-	-	cancelled.
d	-	-	-	-	deleted.
i	-	-	-	-	interlineated.
m	-	-	-	-	margin.

## GENERAL<sup>1</sup>

<i>alias capias</i>	-	-	-	see <i>capias</i> .
<i>allocat'</i>	-	-	-	<i>allocare</i> , to allow.
<i>aquard'</i>	-	-	-	from Old French <i>aguarder</i> , to award.
<i>arm', ar'</i>	-	-	-	<i>armiger</i> , esquire.
<i>barr'</i>	-	-	-	<i>baronctus</i> , baronet.
<i>bon'</i>	-	-	-	<i>bona</i> , goods.
<i>cap'</i>	-	-	-	<i>capere</i> , to take.
<i>capias</i>	-	-	-	a writ or process commanding the officer to take the body of the person named in it, that is, to arrest him. The term <i>Capias</i> includes writs of various kinds: <i>Capias ad respondendum</i> , to enforce attendance at court; <i>Capias ad satisfaciendum</i> , after judgement, to imprison the defendant until the plaintiff's claim is satisfied; <i>Capias ulagatum</i> , to arrest an outlawed person (N.E.D.).
<i>alias capias</i>	-	-	-	a second, or further writ, which is issued after a <i>capias</i> (see below) has been sued out without effect.
<i>pluries capias</i>	-	-	-	a writ which issues when the two former writs of <i>capias</i> (see above) have been ineffective.
<i>cert'</i>	-	-	-	<i>certificatio</i> , certificate; <i>certificare</i> , to certify.
<i>certiorari</i>	-	-	-	a writ, issuing from a superior court, by which the records of the cause are called up for trial in the superior court (N.E.D.).
<i>cler', cl'</i>	-	-	-	<i>clericus</i> , clerk, i.e., clerk of the peace.
<i>com', comp'</i>	-	-	-	<i>comparere</i> , to appear.
<i>concord'</i>	-	-	-	<i>concordia</i> , an agreement; <i>concordare</i> , to agree; <i>concordari</i> , to be brought into agreement.

<sup>1</sup> The necessary variations of case, tense, person, etc., must be understood to apply.

<i>d.</i> , <i>deb'</i>	—	<i>debere</i> , to owe, to be bound
<i>def.</i>	—	defendant.
<i>def'</i> , <i>default'</i>	—	<i>defaulta</i> , <i>defaulta</i> , default.
<i>delib'</i>	—	<i>deliberatus</i> , delivered.
<i>espec'</i>	—	<i>especialiter</i> , especially.
<i>exig'</i>	—	exigent, or <i>exigi facias</i> , a writ which requires the appearance of a party upon pain of outlawry.
<i>exitus</i>	—	issues. A term sometimes used for profits growing from an amercement or fine; sometimes for that point of matter depending in suit, whereupon the parties join and put their cause to the trial of the jury (Cowell).
<i>exon'</i>	—	<i>exoneratus</i> , discharged.
<i>fcod'</i>	—	<i>fcodum</i> , a fee.
<i>fin'</i>	—	<i>finis</i> , a fine.
<i>for'</i>	—	<i>forisfacere</i> , to forfeit.
<i>insol'</i> , <i>insolut'</i>	—	<i>insolutus</i> , unpaid.
<i>jest'</i>	—	<i>jestus</i> , for <i>gestus</i> , behaviour.
<i>jur'</i>	—	<i>jurator</i> , a juror; <i>juratus</i> , sworn; <i>juravit</i> , he has made oath.
<i>justic'</i>	—	<i>justiciarius</i> , a justice.
<i>manucap'</i>	—	<i>manu captor</i> , a mainpernor or surety.
<i>militum militorum</i>	—	recte, <i>militum mutilatorum</i> , of maimed soldiers.
<i>ord'</i>	—	<i>ordo</i> , <i>ordinatio</i> , an order [of the court].
<i>pluries capias</i>	—	see <i>capias</i> .
<i>pos'</i>	—	<i>posuit</i> , he has put himself.
<i>pret'</i>	—	<i>preteritus</i> , past.
<i>pro ingrossat' et regrat'</i>	—	<i>pro ingrossando et regratando</i> , for ingrossing and regrating.
<i>pros'</i>	—	<i>prosequi</i> , to prosecute.
<i>prox'</i>	—	<i>proximus</i> , next.
<i>rec'</i> , <i>r'</i>	—	<i>recipere</i> , to receive.
<i>recognit'</i>	—	<i>recognitio</i> , a recognizance.
<i>rescus'</i>	—	<i>rescuere</i> , to rescue; <i>rescussa</i> , a rescue.
<i>resp'</i> , <i>respit'</i>	—	<i>respectuatur</i> , he is respited; <i>respondere</i> , to answer.
<i>retr'</i>	—	<i>retraxit</i> , he withdrew [himself].
<i>scire facias</i>	—	a writ to call a man to show cause to the court why execution passed should not be made out.

<i>sect'</i>	—	—	—	<i>secta</i> , a suit.
<i>separal'</i>	—	—	—	<i>separalis</i> , several.
<i>sol'</i>	—	—	—	<i>solvere</i> , to pay.
<i>solut'</i>	—	—	—	<i>solutus</i> , paid.
<i>sub'</i>	—	—	—	<i>submisit</i> , he submitted [himself].
<i>ten' or tent'</i>	—	—	—	<i>tentus</i> , held.
<i>travers'</i>	—	—	—	<i>traversia</i> , a traverse, denial of a fact or allegation.
<i>ult'</i>	—	—	—	<i>ultimus</i> , last.
<i>ve' fac'</i>	—	—	—	<i>venire facias</i> , a writ to the sheriff to summon a jury ; <i>venire facias ad respondendum</i> , a writ to the sheriff, or other officer, to cause a party to appear.
<i>vic'</i>	—	—	—	<i>vicecomes</i> , sheriff.
<i>vigil'</i>	—	—	—	<i>vigilia</i> , used to denote the service of watch and ward.

## SYMBOLS

Throughout the books, symbols were used by the clerks for the purpose of calling attention to certain entries. A favourite device, the elaboration of a rectangle, has had to be replaced arbitrarily by an asterisk in the printed text, but the other signs are fairly represented by the type employed. It has not been possible to determine with absolute accuracy the precise meaning which such embellishments were intended to convey.

## PRINTED BOOKS

Bacon	Bacon, Sir F., <i>The answers to questions . . . touching the office of constable</i> . Works. (Spedding's edition), vol. vii.
<i>Beds C.R.</i>	<i>Notes and extracts from the County Records, being a calendar . . . of the Sessions Minute Books 1651–1660</i> . Bedfordshire County Records, vol. ii.
Bond, <i>Complete Guide</i>	Bond, J., <i>A complete guide for Justices of Peace . . .</i> 1685.
Bulstrode's <i>Reports</i>	<i>The reports of Edward Bulstrode . . . given in the Court of King's Bench in the time of the reign of King James I and King Charles I.</i> 1688.
Carthew's <i>Reports</i>	Carthew, Thomas, <i>Reports of cases adjudged in the Court of King's Bench, from the third year of King James the Second . . .</i> 1741.

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 containing the signification of words.* 1658  
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- E.H.R.*      *English Historical Review.*
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 and method of keeping County Courts.*  
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 The history of the pleas of the Crown.*  
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 government . . . of England.* 1699.
- Herts C.R.*      *Hertford County Records*, vols. 1-5. (Hert-  
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- Hist. MSS. Comm.      Historical Manuscripts Commission.
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 cases adjudged in the Courts of King's  
 Bench and Common Pleas at Westminster  
 in the reign of King Charles II.* 1729.
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 at Westminster, from the XII to the XXX  
 year of the reign of . . . King Charles II,*  
 3 vols. 1685.

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- Lambard, *Eirenarcha*      Lambard, William, *Eirenarcha: or of the office of the Justices of Peace, in foure bookes: . . . .* 1591 ed.
- Manchester Q.S.*      *Manchester Sessions*, vol. i. 1616–1622/23. Ed. by Ernest Axon. (Lancashire and Cheshire Rec. Soc., vol. xlii. 1901).
- Middlesex C.R.*      *Middlesex County Records*, vols. 1–5. 1886–1905.
- Modern Reports*      *Modern Reports: or select cases adjudged in the Courts of King's Bench, Chancery, Common Pleas, and Exchequer, since the Restoration of his Majesty King Charles II*, vols. 1–5.
- N.E.D.      New English Dictionary.
- N.R.Q.S.R.      *North Riding Quarter Sessions Records*, ed. by J. C. Atkinson, 9 vols. (North Riding Record Society, 1884–92).
- Nelson      Nelson, W., *The office and authority of a Justice of Peace.* 1715.
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- Notts C.R.*      *Nottinghamshire County Records. Notes and extracts from the Nottinghamshire County Records of the 17th century*, compiled by H. Hampton Copnall. (Notts County Council. 1915).
- Officium Clerici Pacis*      *Officium Clerici Pacis: a book of indictments, informations, appeals, and inquisitions: . . . .* 1705 ed.
- Oxfordshire Peculiars*      *The churchwardens' presentments in the Oxfordshire Peculiars of Dorchester, Thame, and Banbury*, ed. by S. A. Peyton. (Oxfordshire Record Society, vol. X. 1928).
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Shephard's <i>Sure Guide</i>	Shephard, W., <i>A sure guide for his Majesties Justices of Peace.</i> 1663.
Sheppard, <i>Offices</i>	Sheppard, W., <i>The Offices of constables, churchwardens, overseers of the poor, supravisors of the highwayes, treasurers of the county stock . . . .</i> 1652.
<i>Shropshire Q.S.O.</i>	<i>Shropshire County Records. Orders of the Shropshire Quarter Sessions</i> , vols i and ii, edited by R. Lloyd Kenyon. (Shropshire County Council).
Smith, <i>De Republica</i>	Smith, Sir Thomas, <i>De Republica Anglorum. A discourse on the Commonwealth of England</i> , edited by L. Alston. Cambridge, 1906.
<i>Som. Q.S.R.</i>	<i>Quarter Sessions Records for the County of Somerset</i> , vols. 1-4. (Somerset Record Society, 1907-19).
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<i>West Riding S.R.</i>	<i>West Riding Sessions Rolls</i> , vol. I, and <i>West Riding Sessions Records</i> , vol. II. (The Yorkshire Archæological Society, Record Series, vol. iii and liv. 1888 and 1915).
<i>Worc. Q.S.R.</i>	<i>Worcester County Records. The Quarter Sessions Rolls</i> , 2 parts, edited by J. W. Willis Bund. (Worc. County Council, 1899-1900).

## INTRODUCTION

Already in Domesday Book, the names Lindsey, Kesteven, and Holland were applied to three separate divisions of Lincolnshire. These names represent to-day, as they have represented for centuries, the three independent administrative divisions into which the shire is divided. North of the Foss Dyke and the Witham are the Parts of Lindsey, representing an ancient Anglian kingdom and comprising more than half the county ; south of this line are the Parts of Holland on the east ; and the Parts of Kesteven, somewhat larger than Holland, on the west<sup>1</sup>. It is to the Parts of Kesteven that the documents printed hereafter relate.

Kesteven contains no great centres of population ; agriculture has always been its chief industry. The first census return is dated 1801, but material exists which permits of a computation of the population in the sixties of the seventeenth century. After 1662<sup>2</sup>, taxes were levied upon the occupiers of every house in accordance with the number of the hearths which it contained. Parish constables were made responsible for obtaining a correct statement of all hearths in their respective parishes, and for delivering the schedules to Quarter Sessions to be enrolled by the Clerk of the Peace and returned by him into the Exchequer<sup>3</sup>. Hence, when the Clerk recorded the names of all, including those excused payment, he produced what was virtually a house to house survey of the district which his returns covered. Such a return has been preserved for Kesteven for the year 1665<sup>4</sup>. Now if the number of houses in a place be multiplied by five, assuming on an average that number of inhabitants to a house, the result will provide material for at

<sup>1</sup> In the twelfth century, Kesteven could be described as the ten wapentakes of Ancaster, in *decem wapentachiis apud Hanecastre* (F. M. Stenton, *Danelaw Charters*, p. 288).

The wapentakes in the seventeenth century were Boothby Graffo, Langoe, Loveden, Flaxwell, Aswardhurn, Winnibriggs and Threo, Grantham Soke, Aveland, Beltisloe, Ness. In Domesday, Boothby and Graffo, and Winnibriggs and Threo, were not joined. Grantham Soke was divided between the wapentakes of Winnibriggs and Threo.

<sup>2</sup> By 13-14 Car. II, c. 10.

<sup>3</sup> Those exempt from paying church or poor rates, or those certified as living in tenements under the value of 20s. a year, and not occupying land to the value of 20s. a year, or not having goods to the value of £10, were not chargeable to the Hearth Tax. See S. Dowell, *Hist. of Taxation and Taxes in England* (1884) iii, 187-9. This form of taxation was abolished by 1 W. & M. sess. I, c. 10.

<sup>4</sup> P.R.O. *Exch. Ley Sub.*, 17 Car. II, 140/754. The return made 23 Car. II, E179 (140/791) does not include the names of those exempt.

least an approximate estimate of the local population<sup>1</sup>. The table printed as Appendix A gives the population of Kesteven in 1665 according to this estimate, and that recorded in the census returns of 1801 and 1921. Between 1665 and 1801, it appears that in 39 parishes and 5 hamlets the population shrank, or was stable. These places fall into three groups: one in the extreme north-west of Kesteven, another running right across it from Stoke to South Kyme, and a third in the far south-west. An explanation of this phenomenon is difficult: it may lie in the geological structure of the region, or it may be that conditions elsewhere were more favourable. This much we may say, that many of the villagers whose names appear in the Quarter Sessions records were making a hard living. They won their bread from the soil.

### *The Sheriff in the Seventeenth Century*

But it is necessary to turn attention from the parish, and to concentrate upon the shire, which in the seventeenth century was a unit for local administration, for local justice, for local responsibility. It constituted an area in which the Crown could exert influence through the agency of county officials, the more important being appointed by the Crown, and holding office at royal pleasure. And royal pleasure meant personal prestige and some social compensation for the onerous responsibilities of office. So far as the transaction of civil and criminal business was concerned, the most important royal officer within a shire was the sheriff. He was a royal nominee, directly chosen by the king from three names selected by the Lord Chancellor, the Treasurer, and the Judges, from a list of six, nominated by the Justices Itinerant<sup>2</sup>. The office was intended to be annual, the appointment taking place on the morrow of All Souls, no sheriff serving for a period of more than one year<sup>3</sup>, three years intervening between one tour of duty

<sup>1</sup> In 1674, the rector of Clayworth (Notts) made a house to house survey of his parishioners. He found there were 401 inhabitants. H. Gill & E. L. Guilford, *The Rector's Book of Clayworth, Notts*, 14-18. The Hearth Tax return for 15 Car. II, *Exch. Lay Sub.* 160,322 gives 35 as chargeable, and 13 names not chargeable. From the rector's list it seems that this should have been greater. Cf. Melbourne, Derby, where in 1695 there were reputed to be 660 inhabitants and 190 households (*Journal of the Derbyshire Arch. & Nat. Hist. Soc.*, vii, 5).

<sup>2</sup> *A compendium of the laws and government . . . of England*, by H. C[urson], (1699), p. 222. By 9 Ed. II, stat. 2, they were to be assigned by the Chancellor, Treasurer, Barons of the Exchequer, and Justices of either Bench. The King could appoint a sheriff by his prerogative without the usual assembly, as for example, upon the death of a sheriff. M. Dalton, *The office and authority of Sheriffs* (1700), 6. The office in Westmorland and Durham was hereditary (*A Compendium*, 222). In 1675-6, Ann lady Clifford was "High Sherifesse" of the former county (Hist. MSS Comm., *Le Fleming*, 129).

<sup>3</sup> 14 Ed. III, c. 7.

and the next<sup>1</sup>. His statutory qualifications were of the vaguest : none could be sheriff except he had sufficient lands within the shire wherein he served<sup>2</sup>. Before taking office, it was necessary for him to enter into a recognizance in such sums and conditions as the Lord Treasurer or Barons of the Exchequer deemed fit<sup>3</sup>, to take the Oath of Supremacy<sup>4</sup>, the Oath of Allegiance<sup>5</sup>, and the Oath of Office<sup>6</sup>.

### *His Duties*

The king declared of the sheriff in his Patent *commisimus tibi custodiam comitatus nostri* ; he took precedence of all lords in the shire, he collected royal dues, he accounted for issues, fines, and amercements arising therein to the Exchequer, together with such taxes as were not farmed. He seized to the king's use the goods of fugitives, felons, and outlaws. He had the arrangement of the election of knights of the shire, and when they were within his baileywick he guarded and attended the judges "with great pomp and feasting"<sup>7</sup>. Theoretically he was, what writers of legal manuals declared, governor of the county<sup>8</sup>. He held two courts, the tourn and the county court ; he controlled the county gaol. To assist him, as officers of his own appointing, he had an undersheriff, a county clerk, bailiffs of hundreds, and special bailiffs. Yet in practice, he is, in the seventeenth century, very like a servant. To him was directed process ; he executed writs and commands of the king's courts, whether sitting at Westminster or in the Sessions house. Though the sheriff impanelled juries and kept

<sup>1</sup> 1 Ric. II, c. 11. Dalton, *op. cit.* 22, " And yet the king by his prerogative may dispense with these statutes, and may grant the office of a sheriff for years, life, or in fee." By 17 Ed. IV, c. 7, the old sheriff could return writs during the Michaelmas and Hilary terms should his successor be prevented from assuming office.

<sup>2</sup> 9 Ed. II, stat. 2. See too 13-14 Car. II, c. 21, sec. 7. Prior to 1565 each county had not of necessity its own sheriff. Surrey and Sussex, Essex and Herts, Somerset and Dorset, Warwick and Leicester, Notts and Derby, Oxon and Berks, shared a sheriff. Henceforth they were severally to have their particular officer (8 Eliz., c. 16). The sheriff must act for the whole shire, save where a town had the status of a county (Dalton, *op. cit.*, p. 6).

<sup>3</sup> 2-3 Ed. VI, c. 34. The conditions were usually for payment of the sheriff's profits, or making account into the Exchequer (Dalton, 7).

<sup>4</sup> By 1 Eliz., c. 1, 5 Eliz., c. 1, and 25 Car. II, c. 2.

<sup>5</sup> 3 Jac, c. 4.

<sup>6</sup> That he would truly serve the king, that he would not diminish debts due to the king, or ill treat his subjects. That he would take no bribes, that all writs should be truly served and honest bailiffs appointed, and that he would reside within his baileywick. That he would not let his sheriffwick to farm, nor set unreasonable issues, and would make panels of the most sufficient, and not of men suspect. See Dalton, p. 9 for the text. In the latter half of the seventeenth century it was usual for the Lord Chancellor to direct a special commission to two justices of the county, one being of the quorum, to administer the oaths.

<sup>7</sup> H. C., *Compendium*, 223.

<sup>8</sup> W. Greenwood, *The Authority, Jurisdiction, and Method of keeping County Courts* (1730), 2.

the book of freeholders of the county, the bench at Quarter Sessions might call for its inspection<sup>1</sup>. He was responsible for the custody of criminals before and after trial. Consequently the county gaol was in his charge; but this did not prevent his being ordered peremptorily "to take care the prisoners have right done them and [that there be] noe cause of complaint in future"<sup>2</sup>.

These ministerial duties, by nature exacting and wearisome from the large amount of routine involved, were in practice, though not in theory, chiefly performed by a deputy, the undersheriff. His lack of official status may be illustrated by the fact that he took no oath until 1585, when it was directed he should, before the Custos Rotulorum or two justices, one being of the quorum, take the oath concerning Supremacy, and an oath of office, by which he abjured corrupt practices and swore to impanel juries truly<sup>3</sup>. The appointment, sanctioned by usage and custom, was not a delegation of power, the deputy must perform all acts in the name of the sheriff, who stood responsible for his mistakes and defaults. The high sheriff "is to answer for all"<sup>4</sup>.

### *The Courts of the Sheriff*

But the sheriff in the seventeenth century was not merely an attendant on judges and justices; he was still *principalis conservator pacis* in the county. He could command any to find sureties for the peace<sup>5</sup>, he could charge any number of men, the *posse comitatus*, to attend him for the suppression of riots<sup>6</sup>, and he still kept his tourn, the *Curia visus franci plegii domini Regis . . . coram Vicecomite in Turno suo*, twice a year, within one month after Easter and Michaelmas, in each hundred of the county<sup>7</sup>. Here all freeholders between twelve and sixty years of age, and not living within the jurisdiction of leets belonging to manors, were supposed to be suitors, and a jury of at least twelve twenty shilling freeholders should have presented things amiss and have received presentments of felonies, petty larcenies, arson, and criminal cases arising within the hundred. But there its jurisdiction ended; indictments went before the justices at their sessions<sup>8</sup>. A more hopeful sphere of

<sup>1</sup> *North Riding Quarter Sessions Records*, ed. by J. C. Atkinson, iv, 31. (N.R. Rec. Soc.). <sup>2</sup> *Ibid.* v, 120.

<sup>3</sup> 27 Eliz., c. 12. The Coroner was *locum tenens vicecomitis* for the execution of process when a recognized exception was made against the sheriff. H. C., *Compendium*, 238.

<sup>4</sup> *Bulstrode Reports*, iii, 78.

<sup>5</sup> Greenwood, *op. cit.*, 122.

<sup>6</sup> 13 Hen. IV, c. 7. 2 Hen. V, stat. 1, c. 8.

<sup>7</sup> Note that the specimen precept in Greenwood, p. 283, dates the tourn 16 Aug: t. <sup>8</sup> 1 Ed. IV, c. 2.

action lay in the suppression of nuisances and offences at common law like pound breach, hedge-breaking, quarrelling, eavesdropping, or breaches of statutes which explicitly gave leets power to hear and determine<sup>1</sup>. Here the authorities part company. Greenwood definitely states that defaults which may be scheduled nuisances, and which he tabulates, might be punished in the tourn<sup>2</sup>. Nelson's teaching is distinctly at variance; "upon presentments of nuisances, the offender cannot be amerced there, but such presentments must be certified to the justices"<sup>3</sup>. If some doubt exists as to practice, there is more doubt as to how far the tourns were in effective operation in the seventeenth century. In the first two decades we read of a refusal to pay a wapentake fine in the tourn<sup>4</sup>, of a distraint by its order for a defective pound<sup>5</sup>, of a constable neglecting to present an assault there, the "township having no other court"<sup>6</sup>. Much research is still necessary before the problem can be solved. One can now only say that Dalton fairly represents the opinion of contemporary legal writers in the latter half of the century, when he says that the tourn "is now almost grown out of use," and his explanation that the business had gone to quarter-sessions is true<sup>7</sup>. The sessions had silently smothered the tourn out of existence.

The sheriff held one other court, the ancient shire or county court, assembling every lunar month<sup>8</sup>, at a place determined by him within the county, for holding pleas of debt or damage to the value of 40s. or under<sup>9</sup>. The suitors acted as judges, judgement being declared by the sheriff. To assist with purely formal business, such as the making of process after complaints were entered, and to summon defendants to the next court, the sheriff appointed a suitable individual, the county clerk, as early as possible after he himself was sworn. The court being incident to the office of sheriff, its profits belonged to him. Small wonder then that in early Tudor days the reputation of the tribunal was unsatisfactory, the entry of

<sup>1</sup> E.g. Erecting cottages without four acres of land (31 Eliz., c. 7); Harboursing inmates (*ibid.*); Tracking hares in the snow (14-15 Hen. VIII, c. 10); Destroying game (23 Eliz., c. 10); Highway offences (18 Eliz., c. 10, sec. 8); Drunkenness (4 Jac. I, c. 5, sec. 5).

<sup>2</sup> Greenwood, 288-300. See too, p. 277.

<sup>3</sup> W. Nelson, *The office and authority of a justice of peace* (1715), 547.

<sup>4</sup> *N.R.Q.S.R.*, i, 193.

<sup>5</sup> *Ibid.* ii, 194.

<sup>6</sup> *Ibid.* i, 152.

<sup>7</sup> Dalton, *op. cit.* 402.

<sup>8</sup> 9 Hen. III, c. 35: To be kept from month to month on a day certain. 2 Ed. VI, c. 25: No county court shall be longer deferred than one month from court to court.

<sup>9</sup> The sheriff, upon the receipt of a writ of *Justicies* out of Chancery, could hold plea for an action above this amount. The court had no jurisdiction over trespass, or *vi et armis contra pacem*.

false complaints providing an easy means to mulct a "defendant" of 4*d.* for non-appearance. To remedy this state of affairs, justices of the peace were given a kind of appellate jurisdiction over county courts; the complaint of a party grieved was sufficient ground for any justice to investigate the case. Yet the county court, by the very nature of the business transacted therein, and by the fact that *exigents* were proclaimed there, was a direct contrast to the tourn in the seventeenth century. While the one remained in full working order, the other was moribund.

*Diminution of his powers*

A sheriff in the late Stuart period, who combined a taste for power with a bent for legal history, must have derived a melancholy satisfaction from his study of Dalton's *Sheriff*, and have reflected how are the mighty fallen. In the late twelfth century although the sheriff was closely watched by the king's officers, he was "a provincial viceroy"<sup>1</sup>, with the finance, justice, police, and military power of the county under his control: in the seventeenth century, he was a suppliant for relief. The downward path may be followed in a few words. The fourteenth century saw the office limited to one year; in the fifteenth century, the sheriff swore to dwell in his baileywick and not let it to farm<sup>2</sup>; in the next century, his underlings were brought under the control of justices of the peace; the justices supervised his estreats, they had oversight of his books, and what is more, they might punish him or his officers<sup>3</sup>. The Lords Lieutenant appropriated his military powers, he ceased to be a member of the commission of the peace during his year of office<sup>4</sup>, he might not summon without a warrant<sup>5</sup>. But after the Restoration the statutes do not seek to impose restraints; rather, there is "an act for preventing the unnecessary charge of sheriffs"<sup>6</sup>. "Whereas the office of sheriff, as well by reason of the great and unnecessary charges in the time of assizes . . . as by the . . . charge . . . in passing of their accounts . . . hath of late been very burthensome," sheriffs were now permitted to restrict their servants at assizes to forty, to keep tables there for none other than their family and retainers, they were directed to make no gift to the judge. Those likely to be sheriffs in Norfolk actually formed an association to keep expenses down as far as possible, by standardizing livery, by each subscriber annually providing a man, livery, and horse, and

<sup>1</sup> F. W. Maitland, *Constitutional History*, 233.

<sup>2</sup> 23 Hen. VI, c. 9.

<sup>3</sup> 11 Hen. VII, c. 15. 27 Eliz., c. 12.

<sup>4</sup> 1 Mary, sess. 2, c. 8.

<sup>5</sup> 43 Eliz., c. 6.

<sup>6</sup> 13-14 Car. II, c. 21.

by not exceeding a given sum for dining. Finally, they undertook to make no profit by themselves or their undersheriffs "for the Ballywick of the severall hundreds of the County"<sup>1</sup>. But in the public mind, the sheriff was still a formidable officer. In 1654, fines were to be levied on some inhabitants of the North Riding of Yorkshire, "which when done will occasion some disquietnes to the said inhab<sup>ts</sup>"<sup>2</sup>.

### *The Sheriff's Bailiff*

The sheriff to help himself in the formal executive work of his office, appointed bailiffs in each hundred or wapentake of the county<sup>3</sup>, men having land within the shire<sup>4</sup>, of good reputation, possessing some acquaintance with the inhabitants of the hundred for the purpose of the compilation of jury lists, and of their worth, should he have to distrain<sup>5</sup>. Sometimes, at the request of the sheriff, a suitable man was nominated by the freeholders of the hundred<sup>6</sup>, and as in the case of his master, three years were supposed to elapse before he could again serve the office. Hence, the bailiffs of the hundred changed annually<sup>7</sup>. The bailiff was essentially an officer for the hundred, being unable to execute a precept beyond the confines of that for which he was sworn<sup>8</sup>; but while in some counties one only served the hundred, in others two were appointed<sup>9</sup>.

The duties of the bailiff, as would be expected, were largely composed of carrying out the instructions and executing the precepts

<sup>1</sup> Hist. MSS Comm., *Lothian*, 122-4.

<sup>2</sup> *N.R.Q.S.R.* v, 148.

<sup>3</sup> Some hundreds, by grant of the Crown had return of writs, the lord holding either at farm or in fee. The grantee usually held the hundred courts, that is, Leet and Baron, taking the fees incident to them. There was also an implied power of making a bailiff who had the collection of perquisites, amercements, fees, and ancient dues of the hundred (*Ventris, Reports*, 403-4). The question was apt to arise, whether the grantee might appoint a bailiff against the will of the sheriff (*Jones, Reports*, 194-5), for it occasioned great inconvenience in the execution of writs. It seems that in practice the lord's bailiff was regarded as the servant of his master to collect the profits of the hundred only, while the sheriff made a bailiff to execute writs there (*Keble, Reports*, iii, 71. *Ventris, Reports*, 403-4). The Courts in the late seventeenth century almost invariably took the view that hundreds united to counties by 14 Ed. III, c. 9, could never afterwards be divided from them by grant of the king, and those excepted by the statute as being granted in fee by the king or his ancestors, when they came again to the Crown could not be re-granted. For the grantee, it was avowed, though usually in vain, that liberties which subsisted by royal grant before the statute, were not merged if they reverted to the king, but remained a distinct interest in him (*Modern Reports*, iii, 199-201).

<sup>4</sup> 4 Ed. III, c. 9. Cf. 5 Ed. II, stat. 2; 2 Ed. III, c. 4; 5 Ed. III, c. 4. See *N.R.Q.S.R.* v, 212: The sheriff presented for deputing a bailiff not having sufficient land in the shire.

<sup>5</sup> Dalton, *Sheriff*, 457.

<sup>6</sup> Hist. MSS Comm., *Lothian*, 86.

<sup>7</sup> Before performing any duties, he took the requisite oaths before the prescribed justices (27 Eliz., c. 12). In the North Riding, bailiffs were usually sworn at Quarter Sessions (e.g. *N.R.Q.S.R.* iv, 49). In this Riding, Sessions required a return of bailiffs (*ibid.* v, 125).

<sup>8</sup> Style, *Reports*, 18.

<sup>9</sup> *Worc. Q.S. Rolls*, i, 709. *N.R.Q.S.R.* v, 175.

of the sheriff or undersheriff<sup>1</sup>, in taking up strays, in summoning those whose attendance was required at Quarter Sessions, in returning the various jury lists<sup>2</sup>, in levying fines, or executing distrainments, business which was simple enough on the surface, but exceedingly tricky in practice. One neglect of the prescribed legal formalities, and an action against the sheriff would lie. Consequently the bailiff normally gave bond to save the sheriff or his undersheriff harmless should the execution of process be followed by litigation and an unfavourable verdict<sup>3</sup>.

Technically, though the bailiff figured as a sheriff's officer, an examination of sessions orders makes it obvious that the justices regarded him as a species of errand boy. It may be that this is but another reminder of the decline of the power of the sheriff, but it is significant that the Bench directs the bailiff to perform such tasks as to take ale-house keepers into custody, or to command petty constables to render a return of recusants<sup>4</sup>, to summon maimed soldiers<sup>5</sup>, or the witnesses of an affray<sup>6</sup> to appear. As commanded by the justices, he proclaimed the names of pensioned soldiers in the markets of his hundred, or gave notice that certain persons were required to take oaths<sup>7</sup>. He executed warrants and returned the writs of justices under pain of a fine. Should he fear some threatening ill-doer, the sheriff was ordered by the magistrates to assist him with sufficient force to make an arrest<sup>8</sup>. Were the normal police officers themselves in trouble, it was the bailiff whom the court required to attach the high or petty constable<sup>9</sup>.

Bailiffs had much to occupy their time, and hardly seem to have merited the almost off-hand description of Cowell; "they are now but bare messengers and mandatories, within their liberties, to serve writs, and such base offices"<sup>10</sup>. Another wrote in a different spirit, asking readers to consider "the many wrongs the country hath sustained by griping catchpoles, bailiffs and corrupt practisers, and how much the ignorant people are abused and deceived"<sup>11</sup>. Sessions' records make it impossible to dismiss this outburst as rhetoric. It appears that the execution of distrainments was often

<sup>1</sup> Bailiffs appointed by the county clerk apparently executed precepts issuing out of the county court only. Greenwood, *Authority*, 6.

<sup>2</sup> He also summoned the jury on a coroner's warrant.

<sup>3</sup> Style, *Reports*, 18.

<sup>4</sup> *N.R.Q.S.R.* v, 244. *Ibid.* ii, 106.

<sup>5</sup> *Shropshire Q.S. Orders*, i, 139.

<sup>6</sup> *Worc. Q.S. Rolls*, i, 431.

<sup>7</sup> *N.R.Q.S.R.* vi, 110 and vii, 97.

<sup>8</sup> *Ibid.* iv, 99.

<sup>9</sup> *Ibid.* v, 16 and iv, 37.

<sup>10</sup> *The Interpreter* (1658 ed.), sub. tit. "Bayliff." Cf. H.C., *Compendium*, 208. (1659): The bailiff is "now of small authority." Dalton, *Sheriff*, 458-9: The common practice at this day, is that a special bailiff, not a sworn officer, executes writs.

<sup>11</sup> Greenwood, *Authority*, 21.

accompanied by a seizure for far more than the value of the fine, and justices investigated such "base or unhandsome dealings"<sup>1</sup>, or the bailiffs detained fines and converted them to their own use<sup>2</sup>, or they simply demanded money<sup>3</sup>. Threat of jury service might be made profitable. A little juggling with the lists could keep freeholders "under constant composicons and contribucons"<sup>4</sup>, and bribes were taken "for spareing them for that service"<sup>5</sup>. The releasing of a prisoner for a pot of beer was elementary knavery<sup>6</sup>. From the tone of the prohibitions<sup>7</sup>, it is just possible to infer that many bailiffs were ale-house keepers, turning a dishonest penny whenever they could get taken on for a year. The Somersetshire Quarter Sessions Orders in 1673 state that those arrested are carried to the bailiff's inn, and are not permitted to send for bail until they are lodged there; hence, they are forced to spend money to purchase liberty<sup>8</sup>. Consequently, the discharge of bailiffs for extortion or ill-behaviour was not unknown; and the method of their dismissal is significant. It is not by the sheriff, but by the justices at Quarter Sessions<sup>9</sup>.

### *The County Gaol*

In addition to the power of holding courts and appointing officers, the sheriff had the custody of the common gaols of the county<sup>10</sup>, in which were to be imprisoned all murderers and felons. He was responsible for their control, for keeping the prisoners safely, for certifying their names at every general gaol delivery<sup>11</sup>, and for appointing the gaoler, for whose negligence, and to some extent for whose misdeeds, he was directly answerable. His responsibility, however, did not extend beyond the custody of prisoners, for in the latter half of the sixteenth century the actual building of gaols was a duty of the county<sup>12</sup>. In the period covered by these volumes, the justices were too much interested in places of incarceration of another type over which they had full control, the houses of correction, to debate the validity of an expired statute. Responsibility

<sup>1</sup> *Somerset Quarter Sessions Records* iv, 125 (Somerset Record Soc.).

<sup>2</sup> *West Riding Sessions Records* ii, 136 (Yorkshire Arch. Soc.).

<sup>3</sup> *N.R.Q.S.R.* v, 178. In this case the bailiff forfeited £40.

<sup>4</sup> A. H. A. Hamilton, *Quarter Sessions from Queen Elizabeth to Queen Anne*, 244-5. <sup>5</sup> *N.R.Q.S.R.* iv, 184.

<sup>6</sup> *Hertford County Records* i, 319 (Sessions Rolls).

<sup>7</sup> *West Riding S.R.* ii, 398. *N.R.Q.S.R.* vi, 268. *Som. Q.S.R.* iv, 135.

<sup>8</sup> *Somerset Q.S.R.* iv, 135. Cf. 22-23 Car. II, c. 20, sec. 9.

<sup>9</sup> *Somerset Q.S.R.*, iii, 146, and iv, 177.

<sup>10</sup> Except those kept by right of inheritance (19 Hen. VII, c. 10). See 14 Ed. III, st. i, c. 10, and 23 Hen. VIII, c. 2. <sup>11</sup> 3 Hen. VII, c. 3.

<sup>12</sup> 23 Hen. VIII, c. 2. The justices of twenty-four counties were empowered to appoint places in which a common gaol was necessary. A rate on the shire was made by the justices working in conjunction with the high constables. By 13 Eliz., c. 25 the statute was revived for ten years.

for repairs to the gaol lay with the Crown; the sheriff paid for necessary reparations and recovered the money expended by an allowance in his account to the Exchequer<sup>1</sup>.

Records show that the material well-being of the prisoners was their own concern. A prisoner paid for the charges of himself and his escort<sup>2</sup>, he provided his own food and bedding<sup>3</sup>, and should means permit, he could make himself as comfortable as he chose. But there were such beings as poor prisoners, and for them the parish had a small responsibility. The parish in which the prisoner was taken paid for the expenses of his committal by a rate, assessed by the constable, churchwardens, and two or three inhabitants, and allowed by a justice of peace<sup>4</sup>. What of their support when in prison? who provided them with "beer, ale, victuals, and other necessary food"? For convicted felons, the county, by a county rate, assured a meagre subsistence<sup>5</sup>, which apparently in the seventeenth century took the form of an allowance of a penny a day for bread, and some straw for a bed<sup>6</sup>. When the harvest was deficient, and the price of bread rose, as a gaoler explained, the prisoners were "ready to famish havinge in this extremity of dearnes of corne but a penny a day allowed them"<sup>7</sup>. Little provision, it seems, was made for the maintenance of "debtors, convicted misdemeanants, or persons committed for failure to find sureties, or persons awaiting trial"<sup>8</sup>. For such persons after 1667, work was supposed to be found, while charity did what it could. Thus, in 1693, the Kesteven justices licensed a prisoner at Lincoln to beg within the limits of their jurisdiction, for his support<sup>9</sup>. As there was no adequate official allowance for prisoners, there was none at all for their gaoler, who for his recompense depended upon fees. There were fees for the commitment, and on discharge; payments procured all manner of amenities and privileges; at the same time they could be the means of considerable oppression<sup>10</sup>. In a few

<sup>1</sup> 23 Hen. VIII, c. 2, sec. 5.

<sup>2</sup> 22-23 Car. II, c. 20, sec. 10.

<sup>3</sup> By 14 Eliz., c. 5, sec. 37.

<sup>4</sup> *Worc. Q.S.R.* i, 345. J. C. Cox, *Three centuries of Derbyshire Annals*, ii, 5. *Herts C.R.* i, 232. In 1655, a man was ordered to pay 18d. a week for the relief of his wife in the county gaol (*Nottinghamshire County Records, seventeenth century*, 28).

<sup>7</sup> Cox, *op. cit.* ii, 5. On this petition, the rate was raised to 2d. a day until next sessions. At Derby in 1712, prisoners' bread was apparently wasted (*Ibid.* 8-9).

<sup>8</sup> S. and B. Webb, *English Prisons under Local Government*, 9, note 1. See page 11, note 1, for the variations in allowances in the eighteenth century.

<sup>9</sup> The common gaol for Kesteven was at Lincoln. In the absence of confirmatory evidence, it is suggested that the gaol at Folkingham spoken of, *vide* pp. 357, 359, *infra*, was an alternative term for the House of Correction.

<sup>10</sup> A prisoner petitions that he is unable to pay 4d. for his lodging which the keeper demands (*Herts C.R.* i, 232). The keeper of York Castle exercises many unlawful impositions, exactions, and oppressions (*N.R.Q.S.R.* v, 116). On the other hand, the keeper sometimes grumbled that credit had to be given to poor prisoners, "hoping for satisfaction at their enlargement." (*Worc. Q.S.R.* i, 224).

<sup>2</sup> 3 Jac. I, c. 10.

<sup>4</sup> 3 Jac. I, c. 10.

instances a statute regulated what should be demanded, as for example 23 Hen. VI, c. 9, which allowed 4*d.* to the gaoler on commitment, or 5 Eliz., c. 4, sec. 9, which prohibited a delivery fee in the case of servants imprisoned for refusing to serve, or departing from their master<sup>1</sup>. The scale of fees varied from county to county, and from gaol to gaol, but the gaoler had not always *carte blanche* as to what he could screw out of those under his charge. In the case of imprisonment for debt, fees for commitment, release, and for chamber rent were to be settled by three justices, including one of the quorum. The table, signed by the judge for the circuit and the justices of the county, and fairly written was to be hung up in the gaol, a copy being registered with the Clerk of the Peace. Thereafter, no other fees might be charged<sup>2</sup>. And to the poor prisoner who for inability to pay a fine, or for other causes, was unable to secure his release, some sympathy may be extended, for the gaol was too often "a woeful place [in which] he is like to come to untimely death by means of contagious and lothsome airs"<sup>3</sup>.

The conditions were totally unsatisfactory from a modern standpoint, largely for the reason that to contemporaries the gaol was primarily a place of restraint for the man who must answer an offence against the law<sup>4</sup>. Individuals were committed for failing to find sureties<sup>5</sup>, or because a statute did not permit bail in their particular case, or, after trial, until a fine was paid<sup>6</sup>. It is safe to say, that men in the seventeenth century would in none of these cases have shown much patience with those who talked of hard conditions. County rates were for county services, not to render comfortable the man who was unable to find sureties. Moreover, the control of the justices was not supreme. As we have seen, they could regulate fees, they could rate parishes in their division not above sixpence a week that a stock be provided on which to set poor prisoners to work whether awaiting trial or after

<sup>1</sup> By 4 Ed. III, c. 10, gaolers were to receive felons without fees.

<sup>2</sup> 22-23 Car. II, c. 20.

<sup>3</sup> *Somerset Q.S.R.* ii, 33.

<sup>4</sup> Nelson, *op. cit.* 477. The statement that "it was theoretically a place of detention only, not of punishment," is incorrect (*S. & B. Webb, op. cit.*, 4). E.g. note the following statutes:—

5-6 Ed. VI, c. 25, sec. 4: An unlicensed alehousekeeper: Three days imprisonment.

1 Mary, sess. 2, c. 3, sec. 6: For disturbing a preacher, two justices to commit to gaol for three months without bail.

5 Eliz., c. 4, sec. 19: A servant taking more than the rated wages: 21 days imprisonment without bail.

*Ibid.* sec. 21: Assaulting a master: Imprisonment for one year or less.

5 Eliz., c. 21, sec. 2: Unlawful taking of fish: Imprisonment for 3 months.

1 Jac. I, c. 27: Taking pheasants: Committed to gaol for 3 months.

<sup>5</sup> *N.R.Q.S.R.* v, 126.

<sup>6</sup> *Infra*, p. 411.

conviction, the profit being for their benefit<sup>1</sup>. By the same statute, the sheriff, with the advice and consent of three justices, including one of the quorum, could provide an alternative place of imprisonment were there an infectious distemper in the gaol. Upon a presentment of the grand jury that the gaol was insufficient, the justices could agree on a sum for rebuilding or repairing it, to be levied on the shire. By their commission they could enquire of the misdemeanour of a gaoler in the execution of his office. With these not very extensive powers, little direct interference was feasible, especially as in the seventeenth century there are indications that the justices did not commit unless they were so obliged. If indigent, the prisoner was after all "likely to be burdensome to the county for his maintenance there"<sup>2</sup>. Hence apart from felons, debtors, and at times those suffering for religious offences, the calendar was not large<sup>3</sup>.

### *The Coroner*

An office of the county, which like the shrievalty had had a long history, and which with the passage of time gradually lost its early importance, was the coronership. In distinction to the sheriff, a nominee of the Crown, the coroner was popularly elected. Originally an official boasting position and status, reputed to be of the wisest and discreetest freeholders<sup>4</sup>, he was required to have sufficient lands in the shire<sup>5</sup>. In the seventeenth century, he was usually "some inferiour gentleman, that hath some smattering in the law"<sup>6</sup>. By virtue of the writ *De coronatore eligendo* directed to the sheriff, he was chosen by the freeholders and suitors in the county court, sworn in by the county clerk, and his name certified to Chancery by the sheriff<sup>7</sup>. The mode of choice introduces a second difference between the sheriff and coroner: the commission of the former lapsed with the death of the sovereign; the latter held for life. There is yet a third variance: the county had but one sheriff, but it had several coroners, the numbers ranging from

<sup>1</sup> 19 Car. II, c. 4.

<sup>2</sup> *Notts C.R.*, 28. Cf. *Worcs. Q.S. Rolls*, i, 211: The justices order the parish authorities to provide for the wife and children of a man, until delivered from gaol.

<sup>3</sup> Hist. MSS Comm., *Kenyon*, 159-160. Lancaster Gaol, 1683: Debtors 44, most very poor. Felons awaiting transportation, 8. Reprieved priests, 2. Other persons reprieved, 3. Clippers of coin, 6. Quakers, 8. Recusants, 8.

*Worc. Q.S.R.* i, 659, Worcestershire Calendar, 1638: Housebreakers, 2. Stealers of sheep or cattle, 9. Stealing, 12. Highway robbery, 2. Burglary, 1. Committed by the judges last assizes, 3. Note the similar character of the offences. Cf. *Northants Q.S.R.*, 92, 93, 140 (Northamptonshire Record Society).

<sup>4</sup> 3 Ed. I, c. 10. Cf. 28 Ed. III, c. 6, meet and lawful.

<sup>5</sup> 14 Ed. III, c. 8.

<sup>6</sup> Cowell, *op. cit.*, *sub. tit.*

<sup>7</sup> H.C., *Compendium*, 231.

two to six<sup>1</sup>, though most counties were reputed to be satisfied with four<sup>2</sup>.

The duties of the coroner were largely judicial in character ; to enquire of the death of a man, *super visam corporis*, whether by felony or misadventure<sup>3</sup>, to enquire into the escape of murderers, that the king might have his forfeiture, to hear appeals of rape, and to enquire of deodands, wrecks, and treasure trove. It was his duty to sit with the sheriff at every county court, where *exigents* were proclaimed, and where, after repeated contumacy, the coroner pronounced outlawry<sup>4</sup>. Finally, in his ministerial capacity, he was responsible for the execution of the king's writ, when the sheriff was incapacitated by interest, or as a party, from acting. But by the seventeenth century, both sheriff and coroner had had their day : the justices of peace were now the powers in the county.

### *Justices of the Peace*

" For the civil government of counties, the king makes choice of some of the nobility, clergy, gentry and lawyers, men of worth, and parts, who have their usual residence in the county . . . to keep the peace of the county : And these . . . are called Justices of Peace"<sup>5</sup>. By the reign of Charles II, the office had been well tried by religious, social, and dynastic changes, demonstrating that the administration of local justice and local government through the agency of country gentlemen was eminently suited to the temper and character of the nation. While, as will be seen, the lines which limited the powers of justices were firmly drawn, there were abundant opportunities for the exercise of that faculty which has distinguished men of this country : for the dealing out of a rough and ready equity. Further, the strength of the system lay in the fact that justices were not administering a policy of repression ; rather, they were to control and encourage self-expression on the part of humbler subjects, who assumed responsibility within the parish at frequent intervals as constable, churchwarden, overseer, or

<sup>1</sup> Hale, *Pleas of the Crown* (ed. 1736), i, 56.

<sup>2</sup> Nelson, *op. cit.*, 199. Worcestershire had this number (*Worc. Q.S.R.* i, 709).

<sup>3</sup> The proceedings at the inquest, if murder or manslaughter be returned, were to be certified to the assizes, not to Quarter Sessions, together with all bonds taken by the coroner for the appearance of witnesses (1-2 P. & M., c. 13, sec. 5). This makes a fourth difference between the office of sheriff and coroner. The former in the tourn could enquire of a l felonies save the death of a man, which was the only felony enquirable before the latter.

<sup>4</sup> After non-appearance following five proclamations in the county court, once in open sessions, and once on the church door. H. C., *Compendium*, 231. As party to the *Exigent*, and as a declarer of outlawry, the coroner was required to attend Quarter Sessions. Lambard, *Eirenarcha*, 390. All references are to the 1591 edition.

<sup>5</sup> H.C., *Compendium*, 207.

supervisor of the highways, more or less under magisterial control. This, together with the constant call for their services on inquests, or as sureties, made men aware that they were not outside the machinery of government: on the contrary, they were part and parcel of it, small cogs no doubt, but indispensable for the working.

At the time of the compilation of these records, the office of justice of the peace was just over three hundred years old. Its infancy was full of trouble; at times it was a moot point whether it would ever live to attain maturity. The start was promising enough<sup>1</sup>. In the late thirteenth century, keepers of the peace had been assigned to keep the Statute of Winchester, and by a Commission issued in 1316, were empowered to arrest suspects, and to enquire of felonies and trespasses. This practice was confirmed in 1327, when in every county good men and lawful were to be appointed to keep the peace<sup>2</sup>, and authorized two years later, by Commission, to determine as in 1316. Nothing could be more mistaken than to assume that from henceforward the history of the office was that of gradual evolution and development. The next fifty years were to be critical, and at different times within this period were raised five issues. First, it was by no means clear that the appointment of keepers was anything more than a device to meet contemporary difficulties, that it was as experimental as trailbaston, or the eyres, or the enquiries utilized by Edward III. Secondly, were the keepers to hear and determine? In 1330 (4 Ed. III, c. 2) the power of determining was withdrawn; keepers were to send indictments to justices of assize. In 1338, they were again empowered to hear and determine felonies and trespasses by Commission, but six years later (18 Ed. III, stat. 2, c. 2) although keepers were appointed in every county, they could only act as justices when need arose, and when afforded by men learned in the law. Wide powers were given by the Commission of 1350, when they were again entrusted with the hearing and determining of trespasses and felonies (the latter by members of the quorum), so that 34 Ed. III, c. 1, only sanctions the practice of the previous decade, although the keepers now become justices of the peace. Again there is a reaction: justices may not determine felonies by the Commission of 1364, while again, four years later, the power is finally restored. Thirdly, were the keepers to be subordinate county officials? In 1332, magnates were appointed as keepers

<sup>1</sup> What follows of the early history of the justices, is entirely based on Prof. B. H. Putnam's important paper, published in *Royal Hist. Soc. Trans.* (4th ser.), xii, 21-48.

<sup>2</sup> 1 Ed. III, stat. 2, c. 16.

of counties ; they were to be aided by the sheriff and keepers of the peace ; who, six years later, were bidden to assist the "overseer." Fourthly, were keepers and justices to be elected by Parliament, or appointed by the king ? In 1348, the Commons were refused on petition the power of electing six keepers for each county, and though the names of justices were submitted to Parliament in 1362 and the following year, such procedure was not made permanent. The justice was to be an officer of the crown. And lastly, in 1359, by the final omission of array from the Commission, they definitely lost their military responsibilities. The control of the local forces ultimately rested in other hands.

Throughout the fifteenth century, the justices gradually consolidated their position, particularly so when, in 1461, it was ordained that all indictments taken in the tourn be certified to and determined at Quarter Sessions (1 Ed. IV, c. 2). The opening of the Tudor period witnessed another increase of power when justices were given the oversight of sheriff's books, and might investigate complaints as to false pleas in the county courts. It is in the Elizabethan age that their duties received their essential augmentation. All descriptions of administrative work were thrust upon them ; the new labour code, the highway legislation, and the poor law, brought them intimately into touch, not with misdemeanants and felons, but with the men and women of the whole country side. Behind all was the Privy Council issuing directions, calling for reports, administering censure, keenly alive in times of pest, dearth, or unemployment ; exacting, and on the whole receiving obedience, and a high standard of service<sup>1</sup>.

### *The Commission*

The qualifications necessary for a justice were few and simple. He should, first of all, reside within the shire for which he was appointed<sup>2</sup>. He was required to be of suitable moral character<sup>3</sup>, which in the Tudor and Stuart periods had to be taken into consideration with his religious profession, for it was essential that he adhered to the official form of worship. Lastly, he was required to be worth £20 a year in lands or tenements<sup>4</sup>, which, since the value

<sup>1</sup> See E. M. Leonard, *The early History of English Poor Relief*, particularly chapters 6-12.

<sup>2</sup> 2 Hen. V, st. 2, c. 1.

<sup>3</sup> Good and lawful (1 Ed. III, c. 16), of the best reputation (18 Ed. III, st. 2, c. 2), the most worthy (34 Ed. III, c. 1).

<sup>4</sup> 18 Hen. VI, c. 11. But cf. *An Abridgement of the . . . Reports of . . . Sir George Croke*. Castle's case. Mic., 20 Jac. I. in B.R. Castle was indicted for taking upon himself to be a justice of peace, "not having lands of the value of 40*l.* per annum."

of money had rapidly fallen in the sixteenth century, was later construed as being a country gentleman<sup>1</sup>. Save in exceptional franchises, such as the Nottinghamshire Liberty of Southwell and Scrooby, where appointment rested with the lord, justices were appointed by the Crown: which in practice in the seventeenth century meant at the discretion of the Lord Chancellor<sup>2</sup>, by commission under the Great Seal<sup>3</sup>. In form, the Commission contained four sections: the salutation, and the first, second, and third *assignavimus*. The first *assignavimus*, so called from the introductory words *sciatis quod assignavimus vos . . .* was personal in direction. It gave each justice power to act in the county for which he was assigned. He was to keep the statutes, and according to their directions, punish offenders; he must bind those of ill behaviour to the peace, and if they refused to be bound, imprison. That is, a justice must act primarily as a conservator of the peace; what power of summary jurisdiction he possessed was only such as the particular statute permitted.

The second *assignavimus*, *assignavimus etiam vos, et quoslibet duo, vel plures vestrum (quorum aliquem vestrum A.B.C.D. . . . unum esse volumus) Justiciarios nostros, ad inquirendum . . .* Two or more justices, of whom certain specified justices must be one, were:—

1. To enquire of felonies, witchcrafts, trespasses, forestalling, extortion, of those who rode armed, or lay in wait to kill people. Of inn-holders, abuses in weights and measures, or in the sale of victuals.
2. To enquire of the misdemeanours of sheriffs, bailiffs, stewards, constables, and gaolers, in the execution of their office.
3. To inspect all indictments not determined.
4. To make process against all indicted.
5. To hear and determine all felonies (*etc. as in 1*), unlawful assemblies, indictments, and other things according to the statutes.
6. To punish by fines, amercements, and forfeitures.

<sup>1</sup> Two attempts at least were made in the early seventeenth century to prevent the appointment of clerical justices. 1614. Draft of an act to restrain spiritual persons, having care of souls, from being justices of peace (Hist. MSS Comm. 4th Report, 120); 1641. Draft of an act, *inter alia*, that the clergy may be free from secular affairs. "No one in holy orders shall . . . be a justice of peace" (*ibid*, 81).

<sup>2</sup> Lambard, *Eirenarcha*, 28.

<sup>3</sup> The form of the commission as used in the seventeenth century was drawn up in 1590 by Sir Christopher Wray, Lord Chief Justice of the King's Bench, in conference with other judges (W. S. Holdsworth, *A Hist. of English Law*, 2nd. ed., 126), when, in the reformation of the old commission "care was taken, that the 'rossie matter of the former . . . [was] tried out'" (Lambard, *op. cit.*, 43).

7. In difficult cases, to proceed only in the presence of a justice of assize of the county.

8. To meet at certain days and places to hear and determine. The sheriff was to summon juries and witnesses on the order of the justices. The whole force of the second *assignavimus* was to authorize the holding of Quarter Sessions by certain justices, and to define their judicial powers. There could be no mistaking the meaning of the terse concise directions of the commission. By the third *assignavimus*, the Custos Rotulorum was appointed, and his duties outlined : he was to bring all writs, precepts, processes, and indictments, to such places as the justices should order.

### *The Oaths*

Before a justice could act, it was necessary for him to take certain oaths, the first of which was the oath of office, as directed by 13 Ric. II, c. 7, an engagement, among other things, to execute justice impartially, to keep his sessions according to the statutes, and to take nothing beyond the fees permitted by various statutes<sup>1</sup>. Secondly, there was the oath of Supremacy<sup>2</sup>, an affirmation that the king was supreme in spiritual matters, and that the jurisdiction of no foreign potentate was recognized within the realm. This oath should have been taken in open sessions, but as Dalton explained, in his day the oaths of Office and Supremacy were administered by a senior justice upon receipt of a Chancery writ, *Dedimus potestatem*<sup>3</sup>. By the third oath, that of Allegiance<sup>4</sup>, the new justice declared, usually before the judges of assize for his county<sup>5</sup>, his abhorrence of the damnable doctrine that princes might be excommunicated by the Pope. Lastly, there was a declaration against Transubstantiation (25 Car. II, c. 2).

<sup>1</sup> Lambard, *op. cit.* 60. He summarized the oath in verse form, thus,

- 1 Do equall right to rich and poore,  
as Wit and Law extends :
- 2 Giue none aduice in any cause,  
that you before depends :
- 3 Your Sessions hold, as Statutes bid :
- the forfeites that befall,
- 4 See entred well, and then estreat  
them to the Cheaquer all :
- 5 Receiue no fee, but that is giuen  
by Queene, good vse, or right :
- 6 Ne send Precept to partie selfe,  
but to indifferent wight.

In 1665, many Yorkshire justices neglected to be sworn (Hist. MSS Comm., *Var. Coll.* ii, 380). Lambard wished that all oaths were taken in open sessions (*op. cit.*, 62).

<sup>2</sup> 1 Eliz., c. 1, sec. 19. See 5 Eliz., c. 1.

<sup>3</sup> Dalton, *Countrey Justice*, 15. (1661 ed.)

<sup>4</sup> 3 Jac. I, c. 4 and 7 Jac. I, c. 6. Abolished by 1 W.M., sess. 1, c. 8, sec. 2.

<sup>5</sup> Dalton, *ibid.*

*The Number of Justices*

The number of justices to be assigned to a county was early settled at six ; two years later the number was increased to eight<sup>1</sup>, but thereafter no statutory limitation was imposed. It is tempting to believe that the impossibility of assigning a fixed number to all counties, irrespective of size or other considerations, was soon realized, and the apparently retrograde step of arbitrarily limiting eight justices to Welsh counties may be explained by their similarity in size<sup>2</sup>. This absence of rigidity gave flexibility to the commission. Where population tended to increase, or where social conditions called for more control, there, without the need of invoking special powers, more justices could be established. Towards the end of the reign of Henry VIII, thirty justices were assigned for Kesteven<sup>3</sup>. Towards the close of the century, Lambard notes the tendency in his day for the number of justices to grow "to the overflowing of each shire"<sup>4</sup>, though a reaction appears to have set in about the close of the reign of James I, when the number of justices was reported to be diminished, in order that the best men might be chosen with an eye to efficiency<sup>5</sup>. Soon after the Restoration, Kesteven is credited with 63 justices<sup>6</sup>. An examination of the list reveals that at least thirteen were merely honorary magistrates within the division, as for example, Lord Clarendon, the Lord Treasurer, the Keeper of the Privy Seal, the Duke of Albermarle, or the Earl of Rutland ; high officers of state included in all or the majority of commissions and acting *ex officio*, or noblemen with considerable territorial interests in the shire. And further, one notices that the clerical justice was not yet a force on the Kesteven bench<sup>7</sup>.

All justices were not of equal status, either in theory or practice. At certain times the most senior are directed to perform a service<sup>8</sup>; at other times, one or more justices must be members of the quorum.

<sup>1</sup> 12 Ric. II, c. 10 and 14 Ric. II, c. 11. See 34 Ed. III, c. 1. One lord and three or four of the most worthy in the county to be assigned.

<sup>2</sup> 34-35 Hen. VIII, c. 26, sec. 55.

<sup>3</sup> 34 Hen. VIII. P.R.O. C193/12.

<sup>4</sup> *Op cit.* 37. He explains it as due to ambition on the one hand, and the increased obligations which statutes had imposed on the other.

<sup>5</sup> Hist. MSS Comm., *Report* 13, App. vi, p. 2.

<sup>6</sup> See Appendix B. Note the great increase in the number of "honorary" justices in the later lists.

<sup>7</sup> Out of the 72 names on the list P.R.O. C193/12 (?1682-3), 31 can be described as figures only. Of the remaining 41 persons, only 28 are recorded as having sat at any time on the Bench at Quarter Sessions. That is, of the names scheduled in the *Libri Pacis* for the last half of the seventeenth century, as far as Kesteven is concerned, little more than one-third were active magistrates.

<sup>8</sup> For example, taking the oath of office of a newly-appointed justice (see above).

This expression is taken from the word in the second *assignavimus* of the commission which enjoins the performance of many duties by two or more justices, of whom A, or B, or C, etc., must be one. These specially selected justices were men either of considerable magisterial experience, or they possessed legal training, which was held "so necessarie a light, as without which all the labour is but groping in the darke, the end where of must needes be error, and dangerous falling"<sup>1</sup>. But in the late seventeenth century if the "q" placed against names in the *Liber pacis* represents a member of the quorum, this distinction between justice and justice must have ceased: practically every entry is so distinguished.

### *Their Remuneration*

To all intents and purposes, the work of a justice was unremunerated. To be sure, as Lambard said, "the lawes do now and then cast them a trifle"<sup>2</sup>, but for all their labours and manifold responsibilities, they went practically unrecompensed. In the reign of Richard II, wages, or rather, an allowance of four shillings a day was granted for each day of the sessions<sup>3</sup>, and paid by the sheriff from the fines and amercements received<sup>4</sup>. Secondly, they were allowed a fee by certain statutes for the performance of a specific duty, such as enrolling lands, or taking an inn-keeper's recognizance, or attending the sessions held to enforce the Elizabethan labour legislation<sup>5</sup>. Thirdly, they were occasionally permitted to receive a portion of a forfeiture; such as the tenth part of that levied for keeping a deer hay (19 Hen. VII, c. 11), half the forfeiture of 40s. for refusal to serve as overseer of cloth (3-4 Ed. VI, c. 2, sec. 12), or the third part of a faulty and confiscated cloth (5-6 Ed. VI, c. 6, sec. 31). Considering the relatively small amount of the wage, it might be thought that in process of time the 4s. would become a dead letter. Under-sheriffs who ventured to withhold the allowance in the seventeenth century were soon in trouble; for that reason the North Riding justices "with one consent sett upon Mr Sheriffes head, for a fyne . . . the summe of tenne poundes"<sup>6</sup>. Perhaps the statement that it was usual

<sup>1</sup> Lambard, *op. cit.* 48.

<sup>2</sup> *Ibid.* 363.

<sup>3</sup> 12 Ric. II, c. 10 and 14 Ric. II, c. 11.

<sup>4</sup> It was later held that as eight justices were assigned to each county by the latter statute, only that number could claim wages, which Lambard thought a straining of the statute (*Op. cit.*, 623).

<sup>5</sup> 27 Hen. VIII, c. 16: 2s. 6d. to the justice. 5-6 Ed. VI, c. 25: 12d. 5 Eliz., c. 4, sec. 38: 5s. a day not exceeding three days.

<sup>6</sup> *N.R.Q.S.R.* i, 194.

"to bestowe the whole allowance upon defraying of their common diet" explains the indignation<sup>1</sup>.

### *The Termination of Office*

A justice of the peace was not appointed for his life, but normally for the life of the king. The commission automatically terminated with his death, for they were his justices, he had made them *justiciarios suos*. Consequently, they held office at the king's pleasure, and being appointed by a commission under the Great Seal, could be dismissed through the same agency. Similarly, the issue of a new commission, omitting the name of a particular justice, was tantamount to a determination of his power: his services were no longer required. Thirdly, as has been seen, the accession of a justice to the shrievalty *ipso facto* removed him from the commission while he held office<sup>2</sup>. It has been stated that the Crown never, except in the seventeenth century, exercised the power of dismissing justices unless guilty of misconduct<sup>3</sup>. Then, if we are to believe one writer, the removal of justices could be procured by those possessing influence at Court<sup>4</sup>. It would perhaps be truer to say, that during the religious troubles which agitated the reigns of Charles II and his brother, removals from the commission were not uncommon. The Dean of Ripon complained that four magistrates of great loyalty had been withdrawn from the commission of Ripon<sup>5</sup>. The following year Westmorland justices protest against the removal of four of their fellows, and the appointment of one "of a very different kidney from the gentlemen put out"<sup>6</sup>, while in Kesteven there were wholesale changes<sup>7</sup>.

<sup>1</sup> Lambard, *op. cit.*, 623. The Derbyshire justices in 1683 complained to the Exchequer that their wages had not been paid for six years (Cox, *op. cit.* i, 31).

<sup>2</sup> 1 Mary, sess. 2, c. 8.

<sup>3</sup> W. S. Holdsworth, *op. cit.* i, 127.

<sup>4</sup> *An account of many remarkable passages of the life of Oliver Sansom*, 278.

<sup>5</sup> Hist. MSS Comm., *Var. Coll.* ii, 167.

<sup>6</sup> *Ibid.*, *Le Fleming*, 169.

<sup>7</sup> *Ibid.*, *Eleventh Report*, App. ii, 183: (1680) *Left out*. George, Duke of Buckingham, Gilbert, Earl of Clare, Mollineux Disney, John Hatcher, Daniel Wigmore, Edward Syler, William Goodhall of Hollowell. *Came in*. St Leger Scroope of Louth, Richard Bertie Esq., John Brownlow Bart., William Thorold Bart., William Ellys Bart., Richard Peli, Charles Fox, Edward Payne, Redmaine Burrell, Christopher Berrisford, Edward Webb. In 1680, there is talk of a commission to enquire into several abuses in altering the commission of the peace (*ibid.*, 172). In Lancashire, 1686-7, twelve were put out, and the same number inserted (*Le Fleming*, 202). It is suggested that such alterations were intended to mitigate the laws in force against Papists and Dissenters, by the appointment of sympathetic justices. At Ripon, one of the new justices was a late Nonconformist preacher; the Westmorland justice was a purchaser of Crown land. Under James II justices "incapacitated by the laws of the realm, especially by the statute of the 25th of the late King" were appointed, *i.e.*, 25 Car. II, c. 2: An Act for preventing Dangers which may happen from Popish Recusants (Hist. MSS Comm., *Lothian*, 132-3).

*The Functions of the Justices*

The functions of a justice may be regarded as three-fold. He was a conservator of the peace, he was an administrator, he was an arbitrator. In the first capacity it was his duty to be on the watch for movements of suspicious characters, and to take note of talk or rumour which sounded treasonable. As soon as misdeeds were done within his jurisdiction he should act, summoning before him by his warrant the parties concerned, and then either bailing or committing the accused, or binding him to appear at the next Quarter Sessions. He was permitted to exercise summary powers in the correction of small but common misdemeanours<sup>1</sup>, or to order the restitution of articles stolen by gypsies (22 Hen. VIII, c. 10), or to hear and punish the sheriff's officers on the complaints of parties grieved in the county courts (11 Hen. VII, c. 15). Any two justices could punish graver trespasses such as the offences of servants, or the taking of pheasants, or for making malt when unauthorized<sup>2</sup>, while two justices, one being of the quorum, might out of sessions deal with contumacious defendants in suits concerning tithes (32 Hen. VIII, c. 7), or keepers of unlicensed alehouses (5-6 Ed. VI, c. 25), or mothers and reputed fathers of bastards (18 Eliz., c. 3)<sup>3</sup>.

Four times a year the justices were bidden to hold their Quarter Sessions, a meeting at which all connected with the administration of justice, or the maintenance of order, or the government of the county, attended. Here reports were received as to the condition of affairs in each parish and hundred, and all recognizances taken by justices since the last sessions were enrolled. Misdemeanours and lesser felonies were disposed of; the preliminary hearing of graver felonies was commenced. But Quarter Sessions was far from being merely a criminal tribunal; there the justices undertook the supervision of those aspects of corporate life which now concern County Councils, or local authorities. They issued orders regarding

<sup>1</sup> Robbing orchards. A justice could order the culprit to recompense the party wronged (43 Eliz., c. 7). He could order the following punishments: Swearing, a forfeiture of 12*d.* (21 Jac. I, c. 20); Drunkenness, a forfeiture of 5*s.* (4 Jac. I, c. 5); Playing games on Sunday, a forfeiture of 3*s.* 4*d.* (1 Car. I, c. 1); Refusing to work in harvest, two days and one night in the stocks (5 Eliz., c. 4, sec. 22); Rogues, to be whipped (39 Eliz., c. 4).

<sup>2</sup> A servant taking more wages than allowed, to be imprisoned 21 days (5 Eliz., c. 4, sec. 19); Departing from his master, committed to ward until he will be bound to him (*Ibid.* sec. 9); Assaulting his master, imprisoned for one year (*Ibid.* sec. 21); Unlawful taking of pheasants, committed to gaol for three months (1 Jac. I, c. 27); Unauthorized making of malt, imprisoned three days (39 Eliz., c. 16).

<sup>3</sup> For a summary of the powers of the Justices, see Holdsworth, *Hist. of English Law*, iv, 138-142.

the poor and the repair of highways, they appointed county treasurers and levied county rates, they had the oversight of county bridges and the county pensioners. They issued instructions for the relief of sufferers and the control of infection in the time of pest<sup>1</sup>.

Finally, a justice was more than a little concerned with the administration of equity, and that often at the request of the Bench. Disputes as to the repairing of a private road<sup>2</sup>, or between the parish and parish officers<sup>3</sup>, or between an inhabitant and the constable<sup>4</sup>, or between a claimant for relief and the overseers<sup>5</sup>, were settled or patched up by a justice after conference with the aggrieved parties. The administration of an estate by a guardian of minors<sup>6</sup> called for magisterial supervision, while poor men "not able to contend in law" petitioned justices to lend interest in their behalf<sup>7</sup>.

In theory, justices had extremely wide powers. In practice their activities were limited by the directions of their commission, by the terms of statutes, and by the boundaries of their administrative unit. The commission was *the* authority for a justice: it was the *sine qua non*: it was the title to office, it declared who were to be of the quorum, it defined the powers of the justices both individually and conjointly. But a justice had no sort of general authority. Outside the county he was practically powerless. True, he might take an examination, or an information, or even a recognizance in a foreign shire, but he was unable to coerce: he was unable to issue out a warrant<sup>8</sup>. When a justice did a thing by virtue of his office out of the county, it was void<sup>9</sup>.

Even within the county, he might not range at will. In those corporate towns where certain head officers acted as justices, the interference of county magistrates was forbidden: in some counties he might be even more restricted. Where ancient divisions and

<sup>1</sup> Justices of the peace were required to meet the judges at the assizes held for the county, those justices who were more important socially sitting on either side of the judges, the remainder below. The sheriff received an allowance from the Exchequer to meet the expenses (Smith, *De Republica Anglorum*, 96 (Alston's ed.)). Non-attendance was a sign of disrespect. The purpose of this attendance was held to be fourfold: 1. Cases which had received a preliminary hearing before the justices were determined by the judges. 2. As amateurs, they received instruction as to the conducting of cases, from a professional (See Hist. MSS Comm. 13th Report, Appendix 6, p. 2). 3. The judges delivered to the justices instructions of the Council regarding Recusants, or ale-houses, or the poor, or what should be their policy in view of contemporary political, or social, or economic difficulties (See *N.R.Q.S.R.*, iii, 212, and *West Riding Sessions Records*, ii, 397-9). 4. Advice was sought by the justices as to the interpretation of statutes, or regarding points of procedure.

<sup>2</sup> *Somerset Q.S.R.* ii, 192.

<sup>3</sup> *N.R.Q.S.R.* vi, 223.

<sup>4</sup> Hale, *P.C.*, i, 581.

<sup>5</sup> *Infra*, p. 71.

<sup>6</sup> *Ibid.* 50.

<sup>7</sup> *Justices Case Law*, 185 (1731).

<sup>8</sup> *Infra*, p. 74.

<sup>9</sup> *Somerset Q.S.R.* iii, 23.

immunities were respected, separate commissions were granted<sup>1</sup>. Thus the rank and file of the Kesteven justices had normally no jurisdiction in Holland<sup>2</sup>, a justice for Northamptonshire was not usually in the commission for the Soke of Peterborough. Even within a single shire there was generally territorial subdivision to facilitate administration and justice. Magistrates usually divided themselves among the several hundreds or wapentakes of the county, acting when out of sessions for the particular hundred in which they lived, though each was empowered to join with the justices of another division should occasion require<sup>3</sup>. But not in every case; licences granted to ale-house keepers dwelling out of their divisions, by Somersetshire justices, were void<sup>4</sup>.

Statutes not infrequently restricted the powers of a justice within his county. It was the *next* justice before whom persons using guns contrary to 33 Hen. VIII, c. 6, were taken. Lists of eligible surveyors of the highway had to be brought to two or more justices *near* the division in which the parish lay (3 & 4 W. & M., c. 12). Two justices, one being of the quorum, who inhabited the *Hundred* were to assess the damages for negligent pursuit of hue and cry (27 Eliz., c. 13, sec. 5). Void too were all decisions or actions not conforming precisely to the directions of the statutes, and these were compiled with no regard to standard, pattern, or general rule. Every clause in the statutes had to be followed literally. Thus, where a statute directed punishment in the stocks, it was illegal to send the offender to the house of correction<sup>5</sup>, or if imprisonment were ordered for three days, a committal for four was unlawful<sup>6</sup>. An action, having to be commenced within a certain time, could not be prosecuted were the time limit expired<sup>7</sup>. The proceedings of two ordinary justices invalidated an action, if the statute prescribed that one must be of the quorum<sup>8</sup>. As the statute directed that the two next justices, one being of the quorum, should make the necessary order in bastardy cases, justices sitting at Quarter Sessions were unable to do it<sup>9</sup>. The statutes bound the justices,

<sup>1</sup> Sir J. F. Stephen, *Hist. of the Criminal Law of England*, i, 115. The following liberties are noted:—Cawood, Cinque Ports, Ely, Haverfordwest, Peterborough, Ripon, St. Albans, Tower of London, Westminster.

<sup>2</sup> *Liber Pacis*, 1660. P.R.O. C  $\frac{990}{974}$ . Only those justices with titles were in the commission for both parts.

<sup>3</sup> *N.R.Q.S.R.* iv, 32.

<sup>4</sup> *Somerset Q.S.R.* iv, 150.

<sup>5</sup> 4 Jac. I, c. 5. A drunkard who could not pay the forfeiture of 5s.

<sup>6</sup> 39 Eliz., c. 16: The unauthorized making of malt.

<sup>7</sup> 22 Car. II, c. 1, sec. 14: Against seditious conventicles. Prosecutions were to be made within three months of the offence.

<sup>8</sup> 1 Jac. I, c. 6, sec. 7: Clothiers refusing to pay assessed wages.

<sup>9</sup> 18 Eliz., c. 3.

and justices must understand the nature of their bonds. They were expected to ponder over the statutes, for knowledge could only "be wonne by a continuall study and painefull meditation"<sup>1</sup>, not in "short collections . . . [but] rather . . . the Book of Statutes at Large"<sup>2</sup>. It was partly this constant application, this intense interest in the Law for its own sake, which impressed contemporaries, which made in their eyes the control by justices a magistracy "which no part of the christian world can parallel"<sup>3</sup>.

### *The Lord Lieutenant*

Towards the close of the seventeenth century, the lord lieutenant became an increasingly important member of the county Bench. The origin of the office may be seen in the commissions of array issued by Edward I, and its history is subsequently traced in similar commissions through the fifteenth century and early Tudor period. During the reign of Edward VI, influential noblemen were commissioned as lieutenants in various districts, having control over local military forces. In 1549<sup>4</sup> authority was given for the establishment of lieutenancies where needed in time of emergency. As such, they were utilized by Elizabeth. A commission often included several counties, and terminated when the particular crisis was over, but towards the end of her reign there was a tendency for the lieutenant to hold office for life and to be appointed for a single county. Then, besides being a military officer in charge of the musters, he was a link between the Privy Council and the justices of the peace. He kept the Council informed as to what was going on within his district; his services were utilized for civil purposes, he watched recusants, and assisted in forwarding financial and economic measures. But at the close of the reign, a lieutenant did not exist in every county, neither was the lieutenancy a permanent institution<sup>5</sup>. It was by 13-14 Car. II, c. 3, that the lieutenancy was permanently established, the lord lieutenant being given complete control over the county militia, and becoming therefore the immediate military representative of the Crown, as was the sheriff for civil affairs. About the beginning of the eighteenth century, the practice grew of combining the lieutenancy with the office of Custos Rotulorum<sup>6</sup>, which at once increased its

<sup>1</sup> Lambard, *op. cit.*, 369.

<sup>2</sup> Dalton, *The Countrey Justice*, 417.

<sup>3</sup> H.C. *Compendium*, 210.

<sup>4</sup> 3 & 4 Ed. VI, c. 5, sec. 13.

<sup>5</sup> Miss G. Scott Thomson's monograph, *Lords Lieutenants in the Sixteenth Century*, is the authority for the above statements.

<sup>6</sup> C. J. Cox, *op. cit.* i, 24: The Earl of Devonshire was, in 1689, the first Derbyshire lord lieutenant to act as Custos Rotulorum. The lord lieutenant's commission is by writ of Privy Seal (*Ibid.* 19).

prestige and influence: the lord lieutenant was now in a fair way to become the most important magistrate in the shire. But legally, he was vested with no control over his colleagues: he was a justice with important additional duties.

### *Custos Rotulorum*

Unlike the lord lieutenant, the *Custos Rotulorum* held an ancient office<sup>1</sup>. Before 1688, save for four years, the appointment was made by the Lord Chancellor<sup>2</sup>, the *Custos* being especially chosen for his sagacity, and in virtue of his social standing in the shire. He was always one of the quorum, and invariably was regarded with deference<sup>3</sup>. As his title, and the last *assignavimus* of the commission show, he had custody of all documents, writs, precepts, recognizances, presentments and indictments, upon which proceedings turned, and he was required to produce them at Quarter Sessions<sup>4</sup>. He was authorized to appoint annually the two justices who had oversight of the sheriff's books (11 Hen. VII, c. 15), he had custody of the enrolments of bargains and sales (27 Hen. VIII, c. 16), he could take the oath of an under-sheriff<sup>5</sup>, and finally, he appointed the Clerk of the Peace.

### *The Clerk of the Peace*

The Clerk of the Peace, or an officer very like him, is mentioned in 12 Ric. II, c. 10, when the wages of the clerk of the justices while in sessions are fixed at two shillings a day. His appointment by the *Custos Rotulorum* was sanctioned by 37 Hen. VIII, c. 1, sec. 3<sup>6</sup>, and he was required to be learned in the law<sup>7</sup>. His tenure of office

<sup>1</sup> Professor B. H. Putnam suggests the request that keepers of the peace should have their indictments ready on a certain day, was the first step in the development of the *Custos Rotulorum* (*R. Hist. Soc. Trans.* (4th Ser.), xii, 42).

<sup>2</sup> 37 Hen. VIII, c. 1: The appointment to be made by bill, signed by the king, which should be sufficient authority for the Lord Chancellor and the Lord Keeper to make the necessary commission.

<sup>3</sup> 4 Ed. VI, c. 1: Restores the former practice. By 1 W. & M., c. 21, sec. 4, the procedure authorized by 37 Hen. VIII was reverted to.

<sup>4</sup> Lambard, *op. cit.*, 383: "Amongst the officers, the *Custos Rotulorum* hath worthily the first place . . . especially picked out for wisdom, countenance, and credite." He is "a very speciall Justice of the Peace" (*Ibid.* 31).

<sup>5</sup> *Ac propterea tu, ad dies et loca praedicta, brevia, praecepta, processus, et indictmenta . . . venire facias.* He could appoint a deputy, learned in the law (37 Hen. VIII, c. 1).

<sup>6</sup> 27 Eliz., c. 12: If the *Custos* did not, two justices, one of the quorum, were required. Observe the indication of his status.

<sup>7</sup> Sir W. S. Holdsworth has noted that the wording makes it clear that in some places the king had the appointment.

<sup>8</sup> An outer barrister of one of the four Inns of Court (*The Office of the Clerk of Assize*, 117 (1682)).

ceased with that of the Custos who appointed him<sup>1</sup>. The Clerk of the Peace may be regarded as the legal adviser of the justices. He was responsible for the correct framing of presentments and indictments<sup>2</sup>; that orders grounded upon a statute were not repugnant to it, either expressly or by implication, that the appropriate form of process was issued, and that generally in their proceedings the justices were kept within the "lists of the law". Consequently, he was an important figure at Quarter Sessions, "an officer belonging to the Sessions of the Peace" as Cowell called him, directing, organizing, and supervising all details. He saw that papers and individuals were ready when wanted, he read out the indictments, engrossed all acts of sessions, and drew out the necessary process of Court. He was responsible too for the custody of certain types of documents, for the record of those licensed to shoot with guns (2-3 Ed. VI, c. 14); for the rates of wages assessed by the justices (5 Eliz., c. 4, sec. 15). He had to enroll the discharges of apprentices (*Ibid.* sec. 35), to keep the book of licences granted to badgers (5 Eliz., c. 12, sec. 6). Finally, as the channel of communication between the sessions and the superior courts, he was required to certify to the King's Bench all indictments, outlawries, and attainders, with which the justices of the peace were concerned (34-35 Hen. VIII, c. 14), and to send annually into the Exchequer a duplicate of the schedule delivered to the sheriff of all issues, fines, or forfeitures imposed or lost at Quarter Sessions (22-23 Car. II, c. 22, secs. 7 & 8).

### *The High Constable*

The high or chief constable is a well known mediæval figure. He was ordered by the statute of Winchester to view armour twice a year, and to present to the justices assigned defaults of armour, of watches, hue and cry, highways, and those who lodged strangers for whom they would not answer. Anciently, he was appointed and sworn by the sheriff in the tourn<sup>3</sup>, and in the seventeenth century, where hundreds were in private hands, the choice was made in the leet of the Hundred<sup>4</sup>. In the latter case, custom

<sup>1</sup> Alterations were made by 1 W. & M. sess. 1, c. 21. He had to reside in the county, which before was not obligatory (sec. 5), but he now held the estate for life (*Ibid.*). He could be dismissed by the justices upon a complaint in writing (sec. 6); before they could only suspend him (Nelson, *op. cit.* 155). He was permitted to appoint a sufficient deputy if approved by the Custos Rotulorum.

<sup>2</sup> *Modern Reports*, i, 24. A presentment did not say before whom the sessions were held. Twisden, J: "The Clerk of the Peace ought to be fined for returning such a presentment". <sup>3</sup> J. Bond, *Complete Guide for Justices of Peace*, 70.

<sup>4</sup> *Somerset Q.S.R.* i, 185. In the West Riding, the office of high constable was comparatively an innovation. "The first tyme that High Constables were appointed

determined such details of the election as the rotation among the parishes from which the constables were to come<sup>1</sup>, the incidence of responsibility for service<sup>2</sup>, and the actual mode by which the new high constables were appointed<sup>3</sup>. Sometimes choice was made by the steward of the leet<sup>4</sup>, a method not free from objections, for "complaining to the justices was not the way to get discharge, but that if he would give him [the steward] thirty or forty shillings he might be discharged, or otherwise he would levy the penalty of 5*l.* on him"<sup>5</sup>. It may be such a reason which led Williams J. to declare that "Justices of Peace are to elect constables of hundreds . . . and these are to be chosen by them"<sup>6</sup>. In the majority of hundreds, which were directly under the sheriff, the appointment seems for long to have been in the hands of the justices<sup>7</sup>, who likewise assumed responsibility when the leet incident to the hundred discontinued the election<sup>8</sup>. The normal procedure was for election at Quarter Sessions, three or four eligible for the office appearing "that the Court may pitch upon two of them to serve"<sup>9</sup>, the old high constables presenting fit and able persons from whom the choice was made, or an individual for the justices to swear<sup>10</sup>. The oath of office was taken either at sessions, or by warrant from sessions<sup>11</sup>, and took a form similar to the following:—

## NOTES—continued

here was about the 17th year of the late Queene Eliz: her raigne." Before that time the services were performed by the bailiff of the wapentake, who warned musters, and subsidies, and such general services (*West R.S.R.* ii, 395-6). It may have been some such arrangement in Derbyshire which led Dr Cox into the error of stating that "the term High Constable and Bailiff were used as almost equivalent expressions for the same office, namely, the principal officer or reeve of the hundred" (*Cox, op. cit.* i, 95).

<sup>1</sup> *Somerset Q.S.R.* iv, 98.

<sup>2</sup> *Ibid.* i, 307: The office was put upon men never before chargeable.

<sup>3</sup> "I was nominated from one of four, which are customarily presented to the Lord of the Manor [of the Hundred of Faringdon, Berks], who did usually appoint which two of the four shall serve" (*An account of . . . the life of Oliver Sansom*, 259).

<sup>4</sup> *Somerset Q.S.R.* i, 342.

<sup>5</sup> *Ibid.* iv, 131.

<sup>6</sup> Bulstrode's *Reports* i, 174 (Trin. 9 Jac. I).

<sup>7</sup> Smith, *De Republica*, 82. Cf. Sir F. Bacon, *Office of Constable*. The election of high-constable in most parts of the kingdom is by the appointment of the justices of the peace (*Works*, Spedding's ed. vii, 749). Speaking entirely from the evidence offered by the printed sessions' records, many of the Somersetshire hundreds, which are small, seem to have been in private hands.

<sup>8</sup> *Somerset Q.S.R.* iii, 117. Justices appointed for a private hundred on the death or removal of a high constable, the appointment to serve until the next leet (*Complete Parish Officer*, 4 (1772 ed.)).

<sup>9</sup> *N.R.Q.S.R.* vii, 57. If the appointment had to be made at once, the greater number of the justices of the division concerned made the choice (Dalton, *Country Justice*, 53).

<sup>10</sup> *N.R.Q.S.R.* vii, 7. Cf. *Ibid.* 172. Cf. *Manchester Quarter Sessions* (Lancs. & Cheshire Rec. Soc. 38-39). The old high constables delivered the names of six sufficient men within their several hundreds to the justices, out of whom the justices may elect two or more for the office within the several hundreds.

<sup>11</sup> Dalton, *Country Justice*, 53. If the constable were chosen in the Hundred Court, he had to be sworn there, and not before the Steward out of court. Constables

" You shall well and truly exercise the office of a high constable within the wapentacke of A, and duely and truly keepe your petty sessions, and receive and take all informacons and presentmentes to you made and presented, and returne and certifie the same accordingly. All manner of bloodshedes, assaults, and affrayes and outcrys, done and committed within the same wapentacke, accordinge to your best knowledge you shall present. All manner of writtes, warrantes and preceptes, to you lawfully directed, you shall duely and truly execute. You shall diligently endeavour your selfe to take felons and vagabonds, and doe your office upon them accordinge to the lawes and Statutes made and provided in that behalf. You shall also enquire of all defaultes in under constables within y<sup>e</sup> said wapentacke, and y<sup>e</sup> same with their names certifie att the next Sessions of the peace followinge after the same enquiry hadd. The K. Maties peace in your owne person you shall as much as in you lyeth conserve and keepe, and in all other thinges that appertaine to your office you shall well and truly behove yourself. Soe helpe you God, etc."<sup>1</sup>

As in the case of other local offices, the individuals nominated were required to serve if fit, a heavy fine set at Quarter Sessions being levied for refusal. If refusal were accompanied by an ill-timed exhibition of contempt, the Bench were not slow to show their resentment<sup>2</sup>. Neither did those who thought better of it and eventually took the oath escape altogether: prompt obedience to authority was inculcated at every stage of life in Tudor and Stuart England<sup>3</sup>.

The performance of the office of high constable entailed the expenditure of "much time and expence. Therefore it [is] usually conferred upon persons of considerable estate; whereby they are enabled to spend their time, and to defray the charges of the said office"<sup>4</sup>. In Wales, they were required to be substantial gentlemen or yeomen (34-35 Hen. VIII, c. 26, sec. 70); according to Bacon, they should be "of the ablest freeholders, and substantiallest yeomen, next to the degree of gentlemen"<sup>5</sup>, while

#### NOTES—continued

appointed by Sessions might be sworn before any justice (Keble's *Reports*, iii, 230-1. *Rex v King*, in B.R. 25 Car. II). In Kesteven, high constables for Langoe, Flaxwell, Aswardhurn, and Aveland were sworn at sessions. *Infra*, pp. 139, 234, 366, 370. See too *infra*, p. 171. The Court ordered Mr. W. Hardwick to serve for Aveland. *Cf. Manchester Q.S.* 40: High constables were to take oath for execution of their office before the justices in Quarter Sessions.

<sup>1</sup> *West Riding S.R.* ii, 396-7. A similar oath was entered in the North Riding Records the same year (*N.R.Q.S.R.* i, 182).

<sup>2</sup> For refusal to take office, fined £6 13. 4. For contemptuously throwing away the warrant, fined £20 (*N.R.Q.S.R.* v, 23 and 27).

<sup>3</sup> *Bedfordshire County Records*, 1651-1660, 14.

<sup>4</sup> *An account of . . . the life of Oliver Sansom*, 260.

<sup>5</sup> *Op. cit.* vii, 751. He also notes that high constables should not be encumbered with any other office. *Manchester Q.S.* 112: The high constable of six hundreds are gentlemen. Kesteven, 1690: The new high constables of Aswardhurn and Aveland were gentlemen. *Infra*, pp. 366 and 370.

some counties seem to have formulated a standard of their own; in Somersetshire an estate of at least £10 *per annum* must be possessed<sup>1</sup>. Two high constables were prescribed for each hundred by the Statute of Winchester, and this was normally the number which served in the seventeenth century<sup>2</sup>. Occasionally there were three<sup>3</sup>, but should need arise, justices at Quarter Sessions did not scruple to make an increase, as did the Hertfordshire justices, who ordered there should be two high constables in the hundred of Dacorum "in regard of the largeness of that hundred it having nyneteene townes therein"<sup>4</sup>.

Once appointed, there was every possibility that tenure of office would be lengthy. In the absence of regulation by statutes, or rulings by judges, the high constable served at the pleasure of the bench, "untill he shall thereof be lawfully discharged"<sup>5</sup>, which might mean service of seven, or even eleven years<sup>6</sup>. The bench occasionally fixed a time limit; all "that have stood above three years" might hope for an early release<sup>7</sup>; and in one case at least there was definite regulation; three years in office was "the usual custome observed in this W[est] R[iding]"<sup>8</sup>. Yet such is the perversness in human nature, some disliked the order as a novelty, "not warranted by presidents of this or other counties; a thinge tendinge to the disgrace of such high constables," who were apprehensive too, that frequent changes would result in the appointment of inexperienced men and the hindrance of the service<sup>9</sup>.

<sup>1</sup> *Somerset Q.S.R.* iv, 131. Should one of mean estate be chosen in the Hundred Court, the justices interfered in no uncertain manner, peremptorily discharging him, and ordering a justice to swear one of their nomination. This entry deserves attention as illustrating the attitude of the justices to local jurisdictions other than those under their immediate control. Legally immune from interference, they represented unpleasant survivals to the justices, who were ever ready to assert the principle, as enunciated by themselves, that justices of the peace were supreme in county affairs.

<sup>2</sup> W. Sheppard, *The Offices of Constables* . . . (1652), cap. 1, sec. 1, states that today there is but one in many hundreds.

<sup>3</sup> *Worc. Q.S.R.* i, 709: Three for the hundred of Oswaldslow. *Manchester Q.S.* 112: The same number for the hundred of Derby.

<sup>4</sup> *Herts C.R.* v, 336: Two yeomen were sworn. In form of law, the validity of this order was debatable. See *Infra*, p. liv.

<sup>5</sup> *N.R.Q.S.R.* i, 177.

<sup>6</sup> *Ibid.* v, 138 and *Herts C.R.* v, 462. Two North Riding high constables had to crave twice for their discharge (*Ibid.* i, 167). Note that in Kesteven, in two years, three high constables died in office (*Infra*, pp. 171 and 234).

<sup>7</sup> *N.R.Q.S.R.* vii, 7.

<sup>8</sup> *West Riding S.R.* ii, 201.

<sup>9</sup> *Ibid.* ii, 394: The official view here was, that a tour of three years in, and three years out of office, would prove beneficial. Taking into consideration the duties of high constables as illustrated by the oath quoted above, and the statements from the West Riding, were the high constables consciously, or unconsciously aspiring to become a kind of minor magistracy?

*Duties of High Constables*

Services could only be exacted from high constables within their hundreds, but they were sufficiently varied<sup>1</sup>, and had been widely extended since the days of the Statute of Winchester. Under Edward I, the military aspect of the appointment was stressed: in the seventeenth century this was but a fraction of the high Constables' duty. They were responsible for watching, and keeping the beacons within their hundred in repair, and levied money for the purpose<sup>2</sup>. They were required to obey the orders of the lord and deputy lieutenants pertaining to the control of the militia<sup>3</sup>. Secondly, they were responsible for keeping the peace. They had general direction of the hue and cry: should the hundred be so unlucky as to stand defendant in a suit for liability as to robbery, it was the high constable who organized the defence<sup>4</sup>. So, too, were they responsible for watch and ward within their divisions<sup>5</sup>, for the punishment of rogues and the presenting of those who harboured them, and for the closing down of ale-houses suppressed by the justices. Thirdly, they were looked to by the justices for the presentment of nuisances; disordered ale-houses, decayed highways, or unscoured ditches. They viewed bridges in need of repair, and reported defects to the resident justice<sup>6</sup>. Fourthly, the high constable was in effect an officer of the magistrates. It was necessary for him to attend the monthly meetings of the justices, to give an account of his hundred, to receive orders, and to arrange for their execution. For similar reasons his attendance at Quarter Sessions was held obligatory<sup>7</sup>. In the North Riding, he was responsible for obtaining a preliminary list of presentments.

<sup>1</sup> Within the hundred, high constables appear to have partitioned their duties. Cf. "the west part of the wapentake which did belong to his collection" (*N.R.Q.S.R.* vi, 39). Also *Som. Q.S.R.* ii, 133.

<sup>2</sup> *N.R.Q.S.R.* vii, 92, and ii, 211.

<sup>3</sup> 13-14 Car. II, c. 3.

<sup>4</sup> *N.R.Q.S.R.* vi, 27: The chief constable expended £14. 6. 0 about a suit brought against the inhabitants of the wapentake for robbery.

<sup>5</sup> If a special watch were necessary, in time of plague for example, they were required to give an account of their proceedings to the justices (*N.R.Q.S.R.* vi, 92-93).

<sup>6</sup> *N.R.Q.S.R.* iv, 31. They reported the names of those who injured bridges with heavy loads (*Ibid.* iii, 342). Sometimes they were appointed surveyors when bridges were undergoing repairs (*Ibid.* ii, 92). A high constable, acting promptly on his own responsibility, advanced money for the repair of a bridge in such "opportune time as it hath saved the country much money" (*Ibid.* iv, 64). High constables in Norfolk were required to supervise work on sea banks, as ordered by the justices in sessions (27 Eliz., c. 24).

<sup>7</sup> *N.R.Q.S.R.* vi, 87. *Manchester Sessions Rolls*, 40: The high constables are to appear at every Quarter Sessions and present offences committed in their hundreds contrary to the statutes. Cf. R. Chamberlain, *The Compleat Justice* (1681), 78: "It seems by a MS of Sir N. Hyde, resolved by all the Judges T. 5 Car. I. That Justices at the Sessions may not compel the Constables of Hundreds to attend at the Quarter Sessions, to present offenders upon Oath: otherwise at the Assizes."

Between Quarter Sessions, he met the petty constables, to receive such presentments as they were of opinion should be made, and to register them in a book. A month before each sessions, he waited on a justice of his division with the register, that the justice might order those thought deserving censure, to appear at sessions<sup>1</sup>. What information high constables should give was not altogether left to their discretion; from time to time the justices expected to receive answers to a set form of questions which varied as interest tended to be transferred from one topic to another. In 1618, high constables in Lancashire were required to pay particular attention to—

The felonies committed since the last assizes.

What idle and suspected persons were apprehended, and how watches were kept.

What recusants failed to come to church.

What houses of husbandry were decayed, and arable converted to pasture.

What ale-houses were in the hundred, in what place, and whether licensed.

Who were engrossers, forestallers and regrators, and unlicensed makers of malt.

What vagabonds were taken up, and whether the impotent and poor were provided for<sup>2</sup>.

At other times they were ordered to make specific returns; of the ale-houses set up in inconvenient places, the names of maltsters, or the names of all freeholders<sup>3</sup>. From a consideration of the information supplied, justices drew conclusions as to the state of the shire, and formulated orders accordingly, the high constable acting as the channel of communication from justices to parishes<sup>4</sup>.

Fifthly, the high constable was a financial officer. He was responsible for the receipt from parishes of the product of rates levied for the support of poor prisoners in the County Gaol (14 Eliz., c. 5), for the relief of maimed soldiers (43 Eliz., c. 3), for the relief of poor prisoners in the King's Bench and Marshalsea, and for aid

<sup>1</sup> *N.R.Q.S.R.* i, 118.

<sup>2</sup> *Manchester Q.S.* 54-55. Presentments were regarded as confidential reports, and were the contents disclosed high constables were censured. *N.R.Q.S.R.* i, 138.

<sup>3</sup> *N.R.Q.S.R.* v, 207, i, 119, and v, 210.

<sup>4</sup> A warrant to be sent from the court to every high constable, for the apprehension and correction of rogues, and they to give like directions to the petty constables. *N.R.Q.S.R.* i, 203. Orders for the repair of highways. The high constables to issue copies of the order to the gentlemen therein named (*Hist. MSS Comm.* Kenyon, 195).

of county hospitals and almshouses (43 Eliz., c. 2, sec. 14), and for paying the money once a quarter to the appropriate treasurers. He likewise received and paid over the parish quota for the reparation of county bridges, for the maintenance of beacons, for the support of the House of Correction, for the satisfaction of the Muster Master, and before 1660, of the Purveyor. The collection of these rates was a complicated, tiresome business. The high constable was required to make payment on a certain date, but he was not the collector; his function was that of intermediary. However active he might be, the slackness of one parish officer within his division gave considerable trouble. On the other hand, high constables were not themselves impeccable. For those who delayed making payment, there was talk of commitment<sup>1</sup>, or an execution might be made<sup>2</sup>. It was not to the interest of the county that this branch of a high constable's duties should remain unsupervised; hence, periodical orders were issued to the effect that they must personally appear at specified times, to deliver in their accounts "fairly written in paper"<sup>3</sup>. Release from office could seldom be obtained save by payment "of all monie he oweth to the countie"<sup>4</sup>.

Lastly, the chief constable had a court, known colloquially as Petty or Statute sessions, where the Clerk of the Market for the shire overhauled weights and measures; where victuallers, servants, labourers, rogues, and runnagates were reformed<sup>5</sup>. It was a court with a history, but of which little is known<sup>6</sup>. Apart from his active labour, a high constable had a considerable amount of clerical work to perform. Warrants and orders from Sessions to petty constables generally, were given to him as a single copy, and he had then, at great charge and trouble "to make severall copies thereof for the petty constables . . . every copie thereof conteyninge a sheete of paper"<sup>7</sup>. It was an ungrateful hand that penned, "there

<sup>1</sup> *Manchester Q.S.* 142.

<sup>2</sup> *N.R.Q.S.R.* vi, 164.

<sup>3</sup> Cox, *op. cit.* i, 101. In the North Riding there was a kind of annual audit (*N.R.Q.S.R.* iii, 139).

<sup>4</sup> *N.R.Q.S.R.* iii, 139. If a high constable died in office, it was "his relict who must perfect his acct's" (*Ibid.* vi, 39), or else his executors (*Ibid.* 150).

<sup>5</sup> Harrison, *Description of England*, ed. by F. J. Furnivall, 103.

<sup>6</sup> One aspect of the work of this court is discussed on p. cxii *et seq. infra*. In the West Riding they were to inquire of all who kept unlicensed ale-houses, and to bind offenders to appear at the next Quarter Sessions. Upon refusal to be bound, the high constable sent them to York Castle for three days imprisonment without bail, and until they entered into bond (*West Riding S.R.* ii, 5). Petty constables in Shropshire brought their presentments to the high constable's meeting. Does this mean their sessions? (*Shropshire Q.S.O.* i, 182).

<sup>7</sup> *N.R.Q.S.R.* iv, 228: On this complaint the high constables were ordered to receive 12*d.* for every copy.

place consists upon nothinge but wryteing there warrantes for collections to the petty constables, receipt of moneys, punishment of rogues, and orderinge of servantes and masters, and other such like matters, which require more labour then skill, and more honesty then cuninge or policie . . .”<sup>1</sup>.

The high constable was not entirely unremunerated. For his pains, he was allowed 8*d.* in the pound on sums levied for highways (2–3 P. & M. c. 8), but normally custom decided how he should be recompensed. In the West Riding he claimed 12*d.* in the pound for all money collected in the Wapentake, and his charges upon every journey, and *blank* shillings a day when employed by the muster master. He demanded of petty constables 4*d.* for every acquittance, and one penny for the registering of each servant<sup>2</sup>. Nevertheless, such payments were not universal. The inhabitants of the hundred of Somerton (Somerset) complained that they had been charged by the constables “with their disbursements in their travels and for their owne writings and other charges in his Maties service” which had never hitherto been accustomed<sup>3</sup>. What wonder that at times there was speculation?

Lastly, what were his relations to the petty constable? Smith wrote that he “hath some authoritie over all the lower . . . constables”<sup>4</sup>; he commonly presented negligent petty constables at the Sessions<sup>5</sup>. But Bacon could “not find the petty constable is subordinate to the high Constable to be ordered by him”<sup>6</sup>, meaning thereby that he only transmitted orders from justices. In the time of pestilence, the high constables were sent by magistrates “to oversee whether the constables . . . doe execute and performe their duties”<sup>7</sup>; they might be responsible for seeing that the parish officers entered the justices’ orders concerning rogues in the Testimonial Book, and read them to the parishioners after morning prayer<sup>8</sup>. But had he power of issuing commands “from his own authority”<sup>9</sup>? Legally, perhaps not: practically, it is inconceivable that he did not assume the responsibility; was not the constable of Welwyn presented for permitting vagabonds to loiter, notwithstanding the order of the chief constable to apprehend them<sup>10</sup>?

<sup>1</sup> *West Riding S.R.* ii, 396.

<sup>2</sup> *Ibid.* ii, 396. Yet only nine years before they were ordered to take 2*d.* for an acquittance, and 4*d.* in the £ for every pound collected (*Ibid.* 3). The North Riding scale was 12*d.* in the £ for collecting the Marshalsea and Maimed Soldiers money (*N.R.Q.S.R.* i, 53).

<sup>3</sup> *Somerset Q.S.R.* ii, 96.

<sup>4</sup> *Northamptonshire Q.S.R.*, 223. See too the oath quoted above.

<sup>5</sup> Bacon, *op. cit.* vii, 749.

<sup>6</sup> *Middlesex County Records*, iii, 40.

<sup>7</sup> *N.R.Q.S.R.* iii, 314–5.

<sup>8</sup> Bacon, *op. cit.* 754.

<sup>9</sup> *Hertfordshire C.R.* v, 13.

*The Petty Constable*

Whatever were the pretensions of the high constable to superiority, he and the petty constable in theory were keepers of the peace, the one for the hundred, the other for the parish. Within his precinct the petty constable's office was much the same as that of the high constable's in the hundred<sup>1</sup>, it was "as it were, a verie finger of that hand"<sup>2</sup>. Petty, or parish constables were known by various customary names in different parts of the country; tithingman, or headborough, or thirdborough, or borsholder<sup>3</sup>, but in spite of variations in nomenclature, their duties were the same. Although one authority remarks that "everie little village hath commonly two Constables"<sup>4</sup>, the testimony of the records is that one was usual<sup>5</sup>. By common law, the petty constable was chosen and sworn in the Court Leet of his manor<sup>6</sup> as an annual officer, and of that court he was properly an attendant and minister<sup>7</sup>. Consequently, where a leet functioned, the power of the justices to control or interfere with the election was non-existent, provided a fit man were appointed<sup>8</sup>. But in the seventeenth century, as leet jurisdiction tended to crumble, considerable periods might elapse during which no court would be held within the parish, and no new constable could be appointed<sup>9</sup>. In such cases it was customary for the old constables to petition the justices that successors might be chosen. Authority was given in 1662 which regularized previous practice. Justices in Quarter Sessions could discharge the old constable provided he had served above a year through the absence of a leet; they were then to appoint another until the leet were again held<sup>10</sup>. The appointment of petty constable was theoretically in the hands of the leet jury; practically it was governed by the particular custom followed in a parish. The

<sup>1</sup> W. Sheppard, *The office of constables* . . . cap. 1, sec. 1.

<sup>2</sup> W. Lambard, *The duties of constables*, 5 (1606 ed.).

<sup>3</sup> E.g. borsholder in Kent, thirdborough in Warwickshire (Sheppard, *Ibid.*) and Nottinghamshire.

<sup>4</sup> Smith, *De Republica*, 93.

<sup>5</sup> Cf. *Northamptonshire Q.S.R.*, Constables' Bills, 172-8. The provision of a constable by the parish was a duty not to be evaded, and default was visited by fine set on the inhabitants (*N.R.Q.S.R.* ii, 100).

<sup>6</sup> Bulstrode's *Reports*, i, 174.

<sup>7</sup> Bacon, *op. cit.* vii, 750.

<sup>8</sup> *Modern Reports*, i, 13. Cf. W. Sheppard's *Sure Guide for his Majesties Justices of Peace*, 320: And the power used by Justices herein hath always been questioned.

<sup>9</sup> *Worc. Q.S.R.* i, 689. Through the accident of a lord's minority, the sittings might be discontinued (*Ibid.* 452).

<sup>10</sup> 13-14 Car. II, c. 12, sec. 15. If a constable died, or left the parish, any two justices could appoint and swear another, their choice being ratified at the next sessions. An appeal against an order of sessions was to be made to the Judges of Assize, and not to King's Bench, that the execution of justice be not hindered. (*Style's Reports*, 126-7).

choice might occasionally be by lot<sup>1</sup>, but most generally "the custome is to choose the office of tythingman yearly and that howse by howse and noe man to continue in the said office aboue one whole year"<sup>2</sup>. Yet this following of custom was not of necessity absolutely automatic; "our custome of chosing expressed, [is] to propounde by house rowe, and then chose by most voyces"<sup>3</sup>. Over this mode of choice, there was considerable difference of official opinion in the seventeenth century. Strictly, constables were "not to be chosen either by the house or other custome"<sup>4</sup>, but in the Upper Bench in 1652, the practice received official recognition: Rolle held any other mode of election than according to custom unnecessary, "and he must serve in his turn . . . and this is a good custom and used in many places"<sup>5</sup>. There were certainly two very grave objections to a rota. In the first place, reliance on custom was an assumption of a stable population and static conditions, so that if the population grew, new houses tended to be ignored and the old customary tenements continued to carry the burden<sup>6</sup>. Secondly, unsuitable constables became inevitable; "day labourers who cannot read and write, drunkards, loose alehousekeepers, persons of ill fame"<sup>7</sup>, all had their year as their turn came, and in border-line cases, who should decide as to fitness? It would have been seeking trouble to have raised this issue: men are ever restive when their character is under discussion. It were better to take the bad with the good in the mediæval way: though the office might suffer, peace would be preserved.

Superficially, the customary method had in its favour the fact that it prevented disputes by fixing liability. Secondly, it lessened the opportunity of victimizing an inhabitant, the enforcing of one upon "spleene to serve in the office of constable"<sup>8</sup>. And the customary

<sup>1</sup> *Notts. C.R.*, 19: Ratcliffe-upon-Trent. J. G. chosen constable by lot this year.

<sup>2</sup> *Somerset Q.S.R.* iii, 18. Cf. *N.R.Q.S.R.* i, 25. The said constable is usually chosen by their tenements in course. Other parish offices were similarly filled. E.g. T. L. refuses to take the office of "Biddle" when the same falleth unto his turn (*Som. Q.S.R.* i, 10).

<sup>3</sup> At Denton, Lincs. *Assoc. Arch. Soc. Reports*, xxxi, 33.

<sup>4</sup> Dalton, *The Countrey Justice*, 54. Cf. Shephard's *Sure Guide*, 322: A custom that the office shall go by the house is not good.

<sup>5</sup> Style, *op. cit.* Hil. 1652, Askwith's Case. It was held that if the turn fall on a woman, she may hire one to execute the office (*Complete Parish Officer*, 6).

<sup>6</sup> Cf. *Som. Q.S.R.* iii, 164: Four men for their four cottages have from year to year been compelled to do the whole service, the rest of the inhabitants totally exempting themselves. *Assoc. Arch. Soc. Rep.* xxxviii, 109: At Ayleston, Leic., in the late seventeenth century, the constableness was confined to nine families whose members held the office in fairly regular rotation. Thus one man served 1673-4, 1685-6, 1694-5, 1705-6 (p. 163). *Notts. C.R.* 18: In a parish were forty able farmers and others, yet the townsmen impose the office on a few farmers only, pretending a custom.

<sup>7</sup> *Herts. C.R.* v, 424.

<sup>8</sup> *Som. Q.S.R.* ii, 85.

method produced curious results. A man divided his tenement into two, lived in one half and let the other to five tenants. When his next year arrived, how was the obligation to be settled<sup>1</sup>? If a farm of good value had a poor man in the house, the owner holding all the lands, was the poor man to serve, or the owner<sup>2</sup>? Or "if the service be by oxgang," and an oxgang is purchased by several people, ought they to combine to find a thirdborough, and if so, how<sup>3</sup>? In its execution, the working of a rota was not so simple as it looked.

Four qualifications were held to be necessary for a constable. He must be a layman, a male, resident in the parish, and suitable in estate, honesty, health, and age<sup>4</sup>, which conditions parishioners sometimes endeavoured to secure through bye-laws that none be elected but able and sufficient men, and such as should be either freeholders, or tenants of husbandries<sup>5</sup>. It was observed, however, that commonly the meaner sort of men were chosen, the abler thinking themselves exempted<sup>6</sup>, while Bacon was emphatic; "they be men, as is now used, of inferior, yea, of base condition, which is a mere abuse, or degenerating from the first institution"<sup>7</sup>. Certainly men were appointed, unable to read or write, who wasted much time hunting for a scrivener or minister to interpret warrants<sup>8</sup>, but on the whole the impression received is that the average constable was a better specimen than this.

Constables should have been sworn in the leet, yet, says Dalton, "we find it usual and warranted by common experience, that every Justice of peace doth also swear them"<sup>9</sup>. A typical oath was as follows:

"You shall duly exercise your office of Constable of the townshipp of A. and well and truly present all mannour of blood-sheddies, assalties, and affreys and outcrys there done and comytted against the Kinges Maties peace: All manner of writtes, warrantes, and preceptes to you lawfully directed you shall truly execute: the Kinges Maties peace in your owne person you shall conserve and keepe as much as in you lyeth: And in all other thinges that apperteyne to your office you shall well and truly behave yourselfe. So helpe you God and the contentes &c"<sup>10</sup>.

<sup>1</sup> *Ibid.* iii, 89.

<sup>2</sup> *Notts C.R.* 18.

<sup>3</sup> *Cox, op. cit.* i, 108-9.

<sup>4</sup> *Sheppard, Offices*, cap. i, sec. 1: It were better if he were over 21 years of age.

<sup>5</sup> *Notts C.R.* 18.

<sup>6</sup> *Sheppard, Ibid.*

<sup>7</sup> *Op. cit.* vii, 751. Cf. Individuals petitioned that they, being men of small estates, have for many years executed the office of tithingman, or paid for doing thereof, the other inhabitants of good estates refusing to do it (*Som. Q.S.R.* iii, 160).

<sup>8</sup> *Hist. MSS Comm., Var. Coll.*, i, 89 and 121.

<sup>9</sup> Dalton, *The Countrey Justice*, 53.

<sup>10</sup> *N.R.Q.S.R.* i, 183. By 1 W. & M., c. 18, sec. 7, Quakers could serve by deputy to avoid trouble consequent upon refusal to take oath.

If a man obviously fit were chosen constable, he was responsible for the performance of the office. Were he chosen in the leet, he might be fined there for refusing to serve<sup>1</sup>, but the usual course seems to have been for a justice to bind him over to the Sessions, when an indictment would lie: if he persisted in refusal, recourse could be had to fine, or imprisonment for contempt<sup>2</sup>. The service being assessed upon the tenement, not the individual, it was always permissible to serve by substitute. Thus George Moore of Syston had either to serve, find a deputy, or answer for contempt<sup>3</sup>, which meant he might hire another to act for him<sup>4</sup>. So that if the new constable thought himself above the office, or was too busy, there was legally no exemption, as a practising physician found: "if the office go by houses, he must make a deputy"<sup>5</sup>. The justices were more lenient; the schoolmaster's time was held to be required by his scholars, a coroner's place was inconsistent with that of petty constable<sup>6</sup>. More often, the justices were exercised about unfit men. It was held that two justices might remove a constable incapacitated through various causes<sup>7</sup>, or deal with the lord to chose one more fit<sup>8</sup>. In practice, Quarter Sessions did not scruple to displace those thought unsuitable, and to appoint others in their stead<sup>9</sup>. Neither did they hesitate to send printed instructions to every parish in the county concerning the election and swearing of constables<sup>10</sup>, nor were they backward to decide who were ineligible. Under the Commonwealth, a Papist and a Delinquent were forbidden to act in the North Riding<sup>11</sup>. Often, too, the Sessions was made a court of appeal when custom broke down or was thought to be inequitable. The Court might confirm customary modes of appointment<sup>12</sup>, or it might depute two justices to inquire into the matter and act as they thought fit<sup>13</sup>, or custom might be set aside altogether<sup>14</sup>. The justices, regarding the constable as one sworn to do the king's service, and though a parish officer, always at their beck and call, were ever ready to interfere when they deemed an unsuitable appointment to have been made.

<sup>1</sup> Sheppard's *Offices*, c. 1, sec. 1.

<sup>2</sup> *Somerset Q.S.R.* i, 111 and iv, 34, and Dalton, *The Countrey Justice*, 54. Cf. *N.R.Q.S.R.* iv, 102: A gentleman appointed constable according to the custom of the township, refused to take the oath. Quarter Sessions imposed a fine of £5.

<sup>3</sup> *Infra*, p. 37.

<sup>4</sup> *Notts C.R.* 19.

<sup>5</sup> *Modern Reports* i, 22 (Mich. in B. R. 21 Car II).

<sup>6</sup> *Middlesex C.R.* iii, 208. *N.R.Q.S.R.* vi, 19.

<sup>7</sup> That is, of being of the meaner sort, who are ignorant, or dare not do what they should, or are not able to spare the time to execute the office (Dalton, *Countrey Justice*, 54). See also the Hertfordshire definition, quoted above.

<sup>8</sup> Dalton, *Ibid.* But on p. 433 he states "every Justice of Peace, *ex-officio*, (as it seemeth) may remove the constable if unfit."

<sup>9</sup> *Hert. C.R.* v, 169.

<sup>10</sup> *Ibid.* v, 424.

<sup>11</sup> *N.R.Q.S.R.* v, 216.

<sup>12</sup> *Som. Q.S.R.* iii, 255.

<sup>13</sup> *N.R.Q.S.R.* vi, 111.

<sup>14</sup> *Notts C.R.* 18.

*Duties of Petty Constables*

The constable's power and sphere of jurisdiction was restricted to his own precinct, save in special cases<sup>1</sup>. There, he was first and foremost an officer appointed to ensure the preservation of the peace. He was bound, *ex officio*, to see watch and ward duly kept; it was his duty to warn wrangling villagers to depart. Should blows be exchanged, he had to "part the individuals and keep them assunder." Were a felony committed he should have immediately arrested the party suspected. He might search a house in which a felon was thought to be: had he fled, the hue and cry was to be raised, and his goods secured, the constable making an inventory in the presence of two or three of the more able villagers<sup>2</sup>. In the exercise of his powers, the constable could summarily arrest when his word was not obeyed<sup>3</sup>. He could arrest those breaking the peace in his presence, or whom he suspected of felony; or upon complaint, one well suspected by his neighbours<sup>4</sup>. A known felon was to be apprehended at once. But a constable could not detain a man at his pleasure; the party arrested must be carried before a justice for examination and committal<sup>5</sup>. If by chance an arrest was made in the night, the constable might restrain the culprit until morning; or did he feel unequal to take the delinquent before a justice, he might keep him in hold until sufficient help was forthcoming, yet not in his own house, but in the stocks<sup>6</sup>. In addition to acting upon his own responsibility, a most important part of the constable's duty lay in the execution of the warrants of magistrates; many of which were orders to convent an individual before a justice. This tiresome and unpleasant work could not be deputed; the warrant if directed to him, must be executed by the constable himself<sup>7</sup>, and

<sup>1</sup> Sheppard's *Offices*, Ch. 1, sec. 1, no. 8. The constable might follow a party whom he had the power to arrest, but if taken in another shire, and he possessed no warrant, the offender was to be brought before a justice of the county where taken.

<sup>2</sup> Bacon vii, 753.

<sup>3</sup> Or for returning "a scornful answer." A constable searching a town in time of plague, found a stranger, who, on being asked from whence he came, replied "Over the bridge." The action of the constable in arresting was upheld, the stranger "opposing the constable though but verbally in his office, who is so ancient an officer of the commonwealth" (*Reports and pleas of assizes at Yorke* (1651), p. 10, case 19).

<sup>4</sup> Ha'e, *P.C.* ii, 91. Cf. *Manchester Q.S.* 64. T. L. informeth "that thereare was stollen from this informer twee geese, whear upon this informer takeing w<sup>th</sup> him the constable . . . made search in the house of T. T. of whome this informer had suspicion." A constable might in his discretion refuse to arrest upon such a request, if he had no cause for suspicion upon his search (*Reports . . . at Yorke*, p. 44, case 76).

<sup>5</sup> *Complete Parish Officer*, 16.

<sup>6</sup> Sheppard's *Offices*, ch. 2, sec. 1, no. 14.

<sup>7</sup> The constable was not bound to execute a warrant out of his baileywick (Hale, *P.C.* i, 582).

should the party therein named refuse to accompany him, he was to be arrested<sup>1</sup>. Neither was the constable to question the legality of the warrant, nor form opinions as to whether its intention might be modified. He was to follow its tenor exactly<sup>2</sup>.

Keeping the peace, executing warrants, and making arrests were the duties of a constable at Common Law. Statutes increased his responsibilities. As responsible for the peace, he was required to see that vagabonds taken in the parish were whipped and sent to their place of settlement (39 Eliz., c. 4, sec. 3), and to present offences in connection with ale-houses (21 Jac. I, c. 7, sec. 5). Further, he was required to seal the testimonial of a departing servant (5 Eliz., c. 4, sec. 10), to cause artificers, upon request, to help in harvest (*Ibid.* sec. 22), to join with the churchwardens in appointing supervisors of the highways, and the statutory days devoted to the repair of the parish roads (2-3 P. & M. c. 8), to examine measures in order to ascertain that they conformed to the standard (22 Car. II, c. 8, sec. 6), and to command those living in an infected house to keep the same (1 Jac. I, c. 31). When hedge breakers were taken, the constable was responsible for their whipping (43 Eliz., c. 7).

However much the constable was an officer of the parish, he was equally a servant of the justices. He warned those concerned that their attendance would be required at Monthly Meetings<sup>3</sup>, he himself should have been present to answer such questions as were proposed<sup>4</sup>. At Quarter Sessions he may be said partly to have represented the parish, partly to have served the king as a member of the constables' jury<sup>5</sup>, and partly to have served the justices by making, under their directions presentments of defaults in the parish<sup>6</sup>. At Sessions, the constables were required to render various returns "fairly written in a sheet of paper," such as the names of the owners

<sup>1</sup> Hale, i, 581. He could call upon any man to assist him, and refusal was indictable. All over 15 must help (Sheppard's *Offices*, cap. 2, sec. 1, no. 9). See Lambard, *Constables*, 20. If the party refuse to go with the constable to put in surety according to the warrant "then ought such officer to arrest him, and convey him to prison, without carrying him to any Justice." The manuals of the later seventeenth century nevertheless advise taking before a justice.

<sup>2</sup> Sheppard, *Offices*, ch. 2, sec. 1, no. 17: The author counsels the exact execution of a warrant in all known cases, but should the import be unusual, to take advice. A Hertfordshire constable received a warrant to apprehend two men who had assaulted another. He took one to the injured party, who compounded with him, and thereon the constable dismissed him. "He has bin told he did ill" (*Herts C.R.* i, 274).

<sup>3</sup> *Notts C.R.*, 12: The constable presented for not reminding the churchwardens and overseers of the Monthly Meeting.

<sup>4</sup> *N.R.Q.S.R.* vi, 87.

<sup>5</sup> *Infra*, p. 102: Three constables summoned from Hough to serve on the jury.

<sup>6</sup> For typical constables' presentments, see *Northamptonshire Q.S.R.* 172-8, etc.

of sporting dogs, or the names of Papists, or of those eligible for jury service within their precincts<sup>1</sup>.

Finally, he was a rate collector. He gathered, with the churchwarden, and paid over to the high constable, the parish assessment for maimed soldiers<sup>2</sup>. He taxed the inhabitants of the parish if the hundred were liable for a robbery (27 Eliz., c. 13, sec. 5), or for the expenses incurred in taking a poor person to gaol (3 Jac. I, c. 10), or to meet the outlay incurred in conveying rogues to the House of Correction (13-14 Car II, c. 12, sec. 18). Finally, in the latter half of the seventeenth century he collected various taxes of which the Hearth Tax was the most important. But in addition to collecting money, the constable was continually disbursing. There were expenses at Monthly meetings, expenses incurred in the serving of warrants, for mending the stocks, pound, and whipping post, for sending on the hue and cry, for making searches for felons, vagrants, and undesirables, for maintaining the parish armour and gunpowder<sup>3</sup>. To reimburse himself and to cover the various imposts levied on the parish for which he was responsible there was one general rate, the constable's rate: it required one "verie painfull and carefull in the said collections" to end the year in pocket and at the same time escape trouble at Sessions<sup>4</sup>.

For neglecting his duty, the constable might incur forfeitures authorized by various statutes. Failure to levy a distress under the Ale-house statute of 1 Jac. I, c. 9, or a fine under 4 Jac. I, c. 5 against drunkards, entailed forfeiture of 40s. and 10s. respectively; or for a default concerning the chastisement of, or conveying of rogues, the justices could impose fines up to a 40s. maximum. The statutes gave the justices no power to punish general slackness, but that never hindered them from setting fines upon luckless constables who failed to execute a warrant, or who permitted a prisoner to escape<sup>5</sup>. When one let the reputed father of a bastard slip through his fingers, the Bench adopted the highly questionable device of ordering him to keep the child at his own charge<sup>6</sup>. And it was well to take such misfortunes quietly: "scoffing, scornfull and

<sup>1</sup> *N.R.Q.S.R.* vii, 86, 96, 159.

<sup>2</sup> In Leicestershire, colloquially called Quartridge Money (*Assoc. Arch. Soc. Rep.* xxxviii, 113).

<sup>3</sup> See *Assoc. Arch. Soc. Rep.* xxxviii, 113 et seq.

<sup>4</sup> It was held at the York Assizes that a justice of the peace had no power to make a warrant for distraint, when an individual refused to pay the constable's rate, as the account contained "unwarrantable" items, such as money "disbursed . . . for the constables pains . . . because no law is for such a taxe." If the justices in sessions knew not how to help, they were to consult the judge (*Reports . . . at Yorke*, p. 98, case 166).

<sup>5</sup> *N.R.Q.S.R.* ii, 35 and 48.

<sup>6</sup> *Som. Q.S.R.* i, 22.

disdainfull speeches towards the Courte and the censure of the Justices" only resulted in a double mulct<sup>1</sup>.

Few offices can have offered such an array of unpleasant duties as the constablenesship. The constable was kept well on the move, executing warrants, and attending meetings and sessions; his time could never be counted as his own<sup>2</sup>, he was liable to be called from his bed by people fighting, and for his pains he might receive hurts whereby he lost the use of his limbs, and of his money trying to cure himself<sup>3</sup>. His approach to a house must have been unwelcome: it forboded service with the watch, or escort duty, or a demand for rates. Even the very beggar commanded his attention. It was cold comfort to be told by high officers of state that the office "may the rather be endured because it is but annual"<sup>4</sup>. Justices were inclined to be more sympathetic; they frankly admitted the burden<sup>5</sup>: to the constable himself, "it was great slavery and inconvenience"<sup>6</sup>. So that although the service was supposed to go unremunerated, a constable did not scruple to extract a little material advantage where possible. He might allow himself two shillings "for writing the whole year"<sup>7</sup>, or charge thirty shillings "for my Sallery"<sup>8</sup>, or enter against the parish 6s. 7d. "spente at Leicester at the sissons of my horse and myself"<sup>9</sup>. Under certain conditions he might receive an allowance. Where the topography of a parish caused much journeying and fatigue, there the strenuous nature of the constable's services might obtain tangible recognition from the justices: he should yearly receive "as a salary for his great trouble and pains in executing the said office £3, to be assessed upon the . . . Constablership"<sup>10</sup>. And when a constable showed "extraordinary care" in dealing with rogues, a not ungrateful Bench would order a *douceur* of twenty shillings<sup>11</sup>.

### *The Tithingman*

Houses of a parish did not always lie compactly; they were not necessarily nucleated on either side of the town street; smaller settlements of the hamlet type existed within parish boundaries.

<sup>1</sup> *N.R.Q.S.R.* ii, 96.

<sup>2</sup> A man brought a reputed thief to a constable "who was att worke with others atte Mr Wattes his howse . . . and . . . wished the said constable to looke to her" (*Northampton Q.S.R.* 53).

<sup>3</sup> *Herts C.R.* v, 37: The Court ordered him to have 20s. down, and next year he received another 20s. (p. 40).

<sup>4</sup> *Bacon* vii, 751.

<sup>5</sup> *Som. Q.S.R.* iv, 5.

<sup>6</sup> *N.R.Q.S.R.* vii, 16.

<sup>7</sup> *Hist. MSS Comm., Var. Coll.* ii, 383.

<sup>8</sup> *Assoc. Arch. Soc. Rep.* xxxviii, 112.

<sup>9</sup> *Archæological Journal* lxi, 129.

<sup>10</sup> *N.R.Q.S.R.* vi, 241-2.

<sup>11</sup> *Ibid.* vii, 84.

In such cases the duties of the constable would have been almost of too exacting a nature, and so the tithingmen of the several hamlets were required to serve, each for his hamlet, under the direction of the constable of the whole parish<sup>1</sup>. It appears also that in a parish simple in structure, the constable not infrequently had an official assistant. There was "in every village a petty constable with a tithingman to attend in his absence, and to be at his command when he is present, in all services of his office"<sup>2</sup>. But although there might be several tithingmen in a parish, only one was constable for the king<sup>3</sup>.

Should the condition of a parish be such that the inhabitants thought customary appointments insufficient, it was usual to petition, either at assizes or sessions for a re-adjustment. At Clarbrough, Notts, a large parish with several hamlets, two constables were ordered to serve, instead of one constable and a thirdborough. At Mansfield, in the same county, as the constable lived two miles distant from a hamlet, the justices ordered its inhabitants to chose a thirdborough yearly, to deputize there for the constable<sup>4</sup>. In a Yorkshire parish, owing to its size, Quarter Sessions ordered a hamlet to provide a constable of its own, and a pair of stocks<sup>5</sup>. Such proceedings, however necessary, were legally a somewhat irregular expedient, and were viewed with little favour by the Courts at Westminster; "there cannot be a constablewick erected at this day"<sup>6</sup>.

<sup>1</sup> Ventris *Reports*, i, 170-1 (23 Car. II in B.R.): "A Parish may contain ten Vills . . . so where there are divers Vills, if the Constablewick of the one goes over all the rest, that is the superior or Mother-vill . . . Hale said, . . . 'tis found that the Constables of St Inderion have a superintendence over Portgwyn and therefore 'tis but as an hamlet of St Inderion." The nomenclature used is confusing. The principal constable might be called tithingman, borsholder, headborough, or thirdborough. Their subordinate officers were also known as tithingmen or thirdboroughs.

<sup>2</sup> Bacon, vii, 467. Tithingmen could not principally concern themselves in any matter, the constable being the head officer (*Complete Parish Officer*, 4). Cf. J. C. Cox, *op. cit.* i, 109: In a constabulary are four thirdboroughs "who are or ought to be ayding and assistinge to y<sup>e</sup> Constable in gathering of all leavyes and assessmats." Another aspect of their duties may be illustrated by the following extract from a Constable's accounts. "Pd. the Thirdburrow (for beare w<sup>ch</sup> he had) when a person was sett in y<sup>e</sup> stokes for swearing." (*Assoc. Arch. Soc. Rep.* xxxviii, 130). Dalton seems to imply that the appointment of tithingmen was not universal. He observes that the constables were often from home on duty, and, if they were husbandmen, mostly in the fields. Therefore rogues and the like, knowing the time, travel up and down far more boldly. "It would prove very serviceable if by a law . . . every town and village were to have a tythingman" (*Countrey Justice*, 4).

<sup>3</sup> Lambard, *Constables*, 10.

<sup>4</sup> *Notts C.R.* 17. In the latter case, owing to objections raised, it was agreed to lay the case before the Judges of Assize.

<sup>5</sup> *N.R.Q.S.R.* iii, 223.

<sup>6</sup> *Modern Reports*, i, 13 (Mich. 21 Car. ii, in B.R.).

*The Churchwardens*

Little illustrates better the truth that all was fish which came into the administrative net of the Tudors than their use of churchwardens. A humble, though ancient office whose duties centred upon the parish church was so worked on, that its holders became useful assistants to the justices in local government. Two churchwardens were chosen annually in Easter week, according to the custom of the parish. They were responsible for the custody and provision of church goods, for providing requisites for services, for the seating of parishioners in the church, and for the maintenance of decent behaviour. They levied rates for the reparation of the whole fabric save the chancel, and were required to render up accounts at the conclusion of their year. Periodically they presented to their Ordinary the moral, personal, and religious lapses of neighbours. Unostentatiously, they crept into the statutes, as collectors of alms for the use of the poor<sup>1</sup>, and from thence onward, they held an increasing share of parish business, and interest in parochial affairs.

Naturally, offences which savoured of the ecclesiastical were given an important place in their duties. Churchwardens were required to levy penalties for such defaults as absence from church (1 Eliz., c. 2, sec. 14 and 3 Jac. I, c. 4, sec. 27), for not using the Prayer Book (13-14 Car. II, c. 4, sec. 7), for playing unlawful games on the Sabbath (1 Car. I, c. 1), for working on that day (3 Car. I, c. 1 and 29 Car. II, c. 7, sec. 2), for swearing (21 Jac. I, c. 20), or for drunkenness (1 Jac. I, c. 9). They were responsible with the constables for presenting once a year the absence of recusants from church (3 Jac. I, c. 4, sec. 4). They were ordered to collect rates due from the parish for the relief of maimed soldiers, for the King's Bench prisoners, and for the prisoners in the county gaol. They joined with the constable and two or three others to assess a rate to cover the cost of committing a poor prisoner. They were responsible with the constables for convening the meeting to appoint new surveyors of highways; with the constables they nominated the days of statute labour; alone they controlled the expenditure upon parish highways of forfeitures levied under the statute 2-3 P. & M. c. 8. By 43 Eliz., c. 2 churchwardens were given concurrent jurisdiction with overseers in the organization of poor relief. They were among the parish officials responsible for the expenditure of money on apprentices (7 Jac. I, c. 3). Many of these statutes joined churchwardens with overseers or constables

<sup>1</sup> 27 Hen. VIII, c. 25.

for their execution ; but it was the churchwarden alone who levied fines for absence from church, and collected rates for the King's Bench, and poor prisoners.

*The Overseers of the Poor*

A duty in which churchwardens acted with other officers, the overseers, was that of administering poor relief in the parish. Often the extent of their co-operation was slight ; "it be the common course in most places, for the churchwardens to neglect it altogether, and not to meddle at all with it . . ."<sup>1</sup>. In distinction to churchwardens, overseers of the poor owed their official being to comparatively recent legislation. Officially, the overseers first appear as collectors, "the two others of every parish", appointed annually, who were required to co-operate with the churchwardens in gathering parish alms for the relief of the poor<sup>2</sup>. They appear in 1572, not as collectors, but as additional officials appointed for one year by the justices at their Easter Quarter Sessions and were mainly concerned with setting aged and impotent poor, and rogues and vagabonds, on work<sup>3</sup>. The basis of the office in the seventeenth century was the statute of 43 Eliz., c. 2<sup>4</sup>, which directed two justices of the peace, one being of the quorum, annually in Easter week to nominate from two to four substantial inhabitants to act as overseers of the parish in conjunction with the churchwardens<sup>5</sup>. They were to rate the inhabitants for the provision of a stock for the relief of the aged and impotent, to set the able bodied to work<sup>6</sup>, to apprentice necessitous children, and to build cottages on the waste. They were required to meet monthly on Sunday afternoons in the church for the ordering of affairs concerning their office. At the end of their year, they were to present their accounts to two justices, as above.

<sup>1</sup> Sheppard, *Offices*, part ii, p. 21.

<sup>2</sup> 27 Hen. VIII, c. 25. See the Synopsis in the note on p. 54 of S. & B. Webb, *English Poor Law Hist.*, Part i, *The Old Poor Law*.

<sup>3</sup> 14 Eliz., c. 5, secs. 15, 22, 23, 25. Attention is directed to the remarkable instructions issued to the justices of Yorkshire in 1557, by the Council of the North. The justices were to appoint overseers in every parish, who were to set all poor on work, and undertake a general surveillance of the inhabitants (Hist. MSS Comm., *Var. Coll.* ii, 89-90).

<sup>4</sup> As modifying 39 Eliz., c. 3.  
<sup>5</sup> Hist. MSS Comm., *Lothian*, 77. The constables of the hundred were to bring the names of the churchwardens and four substantial subsidymen of every parish to the justices in Easter week. In default of subsidymen, the four most able inhabitants. The normal number of overseers in a parish was two. In the eighteenth century it was usual for the vestry to return three or four names from which the justices selected overseers. In the seventeenth century a Somersetshire woman was ordered to undertake the office to which she had been legally elected, or else find a fit substitute (*Som. Q.S.R.* iv, 177) ; but in Derbyshire, one was discharged, "shee beeing a woman incapacitated to serve" (Cox, *op. cit.* ii, 138).

<sup>6</sup> With the consent of two justices, overseers might set up any trade for relieving the poor (3 Car. c. 4, sec. 22).

The whole intention of the statute seems to be the creation of officers who should be responsible within the parish for the relief of the poor, but controlled and supervised by the local justices, who appointed them, and authorized the relief given, the providing of work, making of rates, and binding apprentices. Their accounts were to be delivered up to two justices, while the authority of Quarter Sessions was necessary before a cottage could be built on the waste. The provisions of the Elizabethan poor law gave the justices ample opportunities for exercising considerable control, which Quarter Sessions records testify they wielded vigorously. Their constant interferences, and the appeals to them which form the basis of numerous Sessions' orders, serve to correct the opinion held by the Poor Law Commissioners of 1832 that the Statute 3 and 4 William and Mary, c. 11, was responsible for justices acting as charitable gentlemen, to whom the poor appealed, and who ordered overseers to distribute the property of the rate-payers<sup>1</sup>.

### *The Surveyor of Highways*

Another parish officer, created by the Tudors, and like the overseer entitled to no remuneration, was the surveyor of highways<sup>2</sup>. Two surveyors were appointed annually in Easter week by the parishioners. The office was obligatory under a penalty for refusal of twenty shillings<sup>3</sup>. The surveyors decided what repairs were necessary, and how they should be accomplished; they directed and controlled the work of the parishioners. They were required to present all defaults to the next justices<sup>4</sup>, and might levy fines in certain cases, *ex officio*<sup>5</sup>.

### *The Minor Parish Offices*

Among the minor parish officials who appear occasionally in Quarter Sessions records one may mention the beadle, whose duty it was to apprehend and punish rogues as the justices directed<sup>6</sup>; and the ale-taster, responsible that the quality of beer sold was sufficient, that official prices were adhered to, that good order was maintained in ale-houses, and that the measures were not defective<sup>7</sup>. Common field cultivation rendered the appointment of salaried

<sup>1</sup> *Report of the Poor Law Commissioners* (1834), 119.

<sup>2</sup> Or stonewarden or waywarden.

<sup>3</sup> 2-3 P. & M., c. 8. By 22 Car II, c. 12, sec. 12, they were chosen in Christmas week; and later, by 3 W. & M., c. 12, sec. 3, they were nominated by the justices from a list submitted by the inhabitants.

<sup>4</sup> 5 Eliz., c. 13.

<sup>5</sup> *E.g.*, for infringing regulations for the scouring of ditches (18 Eliz., c. 10).

<sup>6</sup> *N.R.Q.S.R.* i, 163.

<sup>7</sup> *Worc. Q.S.R.* 401-2, and 566.

village servants a necessity; the swincherd<sup>1</sup>, the hayward or neatheard<sup>2</sup>, and the pinder whose duty it was to impound live-stock found straying<sup>3</sup>, were familiar figures in a seventeenth century village.

### *The Leet*

These servants of the parish were appointed in the local court, the leet, which was incident to most manors by prescription<sup>4</sup>, and should have been held twice a year, one month after Easter for suit and service, and within a month of Michaelmas for enquiries into such matters as were within its province. As in the tourn, suit was owing from all freeholders and others between the ages of twelve and sixty<sup>5</sup>, the steward was the judge, and the jury consisted of at least twelve freeholders. An important duty of the jury was the making of bye-laws, regulations such as those which governed agrarian routine, which defined stints, made simple sanitary regulations, or which forbade the taking of lodgers<sup>6</sup>. By common law, the leet had jurisdiction over nuisances, all things "that may hurt or grieve the people . . . in their health, quiet, or welfare"<sup>7</sup>, over evil members of the community, small trespasses, or deceits in buying and selling. Its authority to hear and determine was extended by various statutes, some of which have already been noticed<sup>8</sup>. For more grave offences; felony, robbery, arson, rescue, misprision, the proceedings stopped at enquiry; they must be certified to sessions<sup>9</sup>. Details of the relationship between leet and sessions in the seventeenth century are still obscure. After preliminary inquiry, transference of all but the most trivial offences to Quarter Sessions was automatic, but it is clear that at times villagers resented the orders of justices<sup>10</sup>. On the other hand, the justices at times were impatient with custom and tradition, "the reasonableness of such . . . the Court is to judge"<sup>11</sup>. Neither could custom stand

<sup>1</sup> *N.R.Q.S.R.* i, 99; The "hired servant for keeping there towne swyne." Cf. *Notts. C.R.* 57: A man presented for detaining the swineheard's wages.

<sup>2</sup> *Worc. Q.S.R.*, 306: A hayward agreed to serve a village for 40s. per annum. *Notts C.R.*, 57: Husbandmen presented for not paying rates for the "salary of the keeper of oxen."

<sup>3</sup> The pinder sometimes took his oath before a justice, and he could be presented at sessions for neglect of duty. See *Assoc. Arch. Soc. Rep.* xxxviii, 128-9. *Notts C.R.*, 58.

<sup>4</sup> Theoretically, leets granted to lords were derived out of the tourn, for the ease of inhabitants within its jurisdiction (*Ventris, Reports* i, 26).

<sup>5</sup> *H.C. Compendium*, 225-6.

<sup>6</sup> Offences against bye-laws were presented in the leet, and punished by distress. (*Ibid.* 603).

<sup>7</sup> Bacon, vii, 750.

<sup>8</sup> See *ante*, p. xvii.

<sup>9</sup> W. Sheppard, *The Court-keepers Guide*, 40-42 (1656).

<sup>10</sup> *N.R.Q.S.R.* v, 158: The overseers were ordered to provide house room for a woman and her children, but the leet fined the owner of the house for entertaining her.

<sup>11</sup> *Som. Q.S.R.* iii, 144.

"if this bee the better way which tryall and experience shall determine"<sup>1</sup>. Moreover, the justices were ready on appeal to modify the scope of amercements set in the leet<sup>2</sup>, they were prepared to anticipate presentments there if conceived in a narrow spirit, by issuing counter orders<sup>3</sup>, they were willing to quash verdicts given in the leet if equity so demanded<sup>4</sup>, they positively inhibited certain lines of action<sup>5</sup>. As leets ceased to function, and neglects lay unrepresented with no remedies obtainable in the village tribunal, the interference of justices was natural<sup>6</sup>: they automatically acquired a stronger hold over the control of rural life. So that by the close of the seventeenth century, when the work of leets was attenuated, "the authority of those courts, declining for several years, seems now to be devolved on . . . Quarter Sessions"<sup>7</sup>.

### *Watch and Ward*

The links in the chain of responsibility for preserving the peace may be described as through the justices in the shire, the high constables in the hundred, the constables in the parish, the tithingman in the tithing, to the individual. All able persons, must on demand, assist the constable in the execution of a warrant, without expectation of remuneration<sup>8</sup>; or carry forward the hue and cry<sup>9</sup>; or be ready to convey to the constable of the next parish a vagabond sent to his place of settlement on a pass<sup>10</sup>. When a search was on foot for beggars, or when an order was given to whip one, an indictment awaited the man who neglected to obey the constable's command<sup>11</sup>. And the aid required from parishioners

<sup>1</sup> *West Riding Q.S.* ii, 395.

<sup>2</sup> *Somerset Q.S.R.* iii, 242: Three men were amerced for not setting up stocks according to orders of the leet. Sessions directed the most sufficient inhabitants to make a rate to reimburse them.

<sup>3</sup> *West Riding Q.S.* ii, 360: A woman explained to Sessions that she had of her inheritance two cottages which were two tenements. She was threatened with a presentment in the leet, the cottages not having four acres. The Court, satisfied that the tenants were poor, orders the tenements be continued without danger to the owner.

<sup>4</sup> *Som. Q.S.R.* i, 116: A man was amerced £10 by the parishioners to avoid two tenants. Sessions discharged the amercement, and ordered the tenants to remain.

<sup>5</sup> *Som. Q.S.R.* i, 137: Divers lords in sundry manors have set pains in their courts to remove poor tenants. The Court forbids any lord to pain the removal of a settled inhabitant.

<sup>6</sup> *Cf. Som. Q.S.R.* i, 237: The inhabitants complain that three men will not mend their fences, "for that they have not had any court there these two or three years last past." *N.R.Q.S.R.* vi, 130: No leets of late were kept in a village, by reason of which the common well is in decay. The justices order a contribution for its repair to be paid to the well masters.

<sup>7</sup> *Nelson's Offices*, 532.

<sup>8</sup> *Notts C.R.*, 20: Warrant against a man for refusing to aid the constable, as he would be unpaid for his labour.

<sup>9</sup> *N.R.Q.S.R.* i, 215.

<sup>10</sup> *Northamptonshire Q.S.R.* 43.

<sup>11</sup> *Herts C.R.* i, 407 and *N.R.Q.S.R.* i, 133.

could be more than personal, it extended to a man's goods: one might be presented for refusing to lend a horse to carry a prisoner to gaol<sup>1</sup>.

Such services were spasmodic and infrequent, but all had constantly recurring periods of duty with the watch. By the statute of Winchester (13 Ed. I, st. 2, c. 4), cities were to be watched from sunset to sunrise, from Ascension to Michaelmas day, with six men at each gate. For boroughs the complement was twelve, and other places were to find from four to six watchmen according to their size. In the seventeenth century the statute was not interpreted strictly as regards number, two or three being held sufficient<sup>2</sup>. Only inhabitants of the parish could be compelled to serve, and they were required to be able-bodied<sup>3</sup>. The service was compulsory and unpaid, the constable warning those for duty on any given night<sup>4</sup>, but as was the case with other village duties, custom, for the sake of convenience, was the determining factor. A man's turn came by house-row<sup>5</sup>. And women were not exempt; a son must act on behalf of his mother, otherwise she paid a substitute<sup>6</sup>. In a small community the watch was an inconvenience and a burden, hence, if all were like-minded and could agree together and with one willing to undertake for them, the justices were not averse from accepting a deputy as a fulfilment of the statute. Nay, more, they prescribed such arrangements<sup>7</sup>.

Those on duty were required to patrol the "town," that is, the nucleated tenements of the parish; to examine all stirring, enquire their business, and if not satisfied with their answers, to detain them till morning when a justice should deal with them as he thought fit. The watch were to suppress undue noise in taverns, and to seek the reason should a light be espied<sup>8</sup>. The object of the watch was to prevent petty pilfering<sup>9</sup>, disturbance of neighbours

<sup>1</sup> *N.R.Q.S.R.* i, 87.

<sup>2</sup> *The office of the Clerk of Assize*, 20.

<sup>3</sup> Sheppard's *Offices* ch. 2, sec. 2. Cf. *N.R.Q.S.R.* iv, 69: A constable presented for compelling a poor old blind man, not able to see the light of candle, to watch . . . to the great danger of the inhabitants.

<sup>4</sup> *Som. Q.S.R.* i, 183: Three men appointed on Monday night last to watch. The constable could increase the usual number of watchmen (Sheppard, *Ibid.*).

<sup>5</sup> *N.R.Q.S.R.* vi, 264. Dalton affirms that the inhabitants were not compelled to watch at the will of the constable, but only as their turn came (*Countrey Just.* 166).

<sup>6</sup> *Infra*, pp. 66, 352. *N.R.Q.S.R.* ii, 96. We have no evidence as to whether a woman actually did watch. Should an individual refuse to serve, he might be dealt with out of hand, and put in the stocks, but the wise constable complained to the next justice, or presented at Sessions (*Assoc. Arch. Soc. Rep.* xxxviii, 130). See Sheppard, *Offices*, ch. 2, sec. 2, and *infra*, p. 3 and similar entries.

<sup>7</sup> *N.R.Q.S.R.*, ii, 32, and vi, 63.

<sup>8</sup> Sheppard, *Offices*, *Ibid.*

<sup>9</sup> *Northampton Q.S.R.*, 30: A man presented for night walking, and suspicion of robbing orchards.

by those sitting late over their cups, and as important as any, to promptly suppress an outbreak of fire. As a badge of office, each of the watch had a staff<sup>1</sup>. How efficiently the watch was kept in general is difficult of estimation. Times, seasons, individuals, the strictness or laxness of justices, are all factors which must be considered. But in Derbyshire, 1665, the Grand Jury believed it to be a duty greatly neglected through the county<sup>2</sup>.

In addition to the watch, which was properly for the night, and for a limited period, the justices in sessions could order one to be kept at any time they thought fit<sup>3</sup>. Strictly speaking, day watch was known as *ward*, but unfortunately, few cared for terms, so that service, either by day or night was performed by watchmen<sup>4</sup>. The object of ward primarily, was to apprehend beggars, and was set under the supervision of the high constable who at times carried out inspections to ensure vigilant performance<sup>5</sup>. All householders seem to have been liable as for the watch, and to have commuted their service in a similar fashion, which in some cases led directly to the appointment of a salaried watchman<sup>6</sup>. Apart from rogues, ever a source of trouble, special watches were set by the justices in times of emergency, as when during the visitation of plague, suspicious houses were kept under supervision; or, should invasion threaten, the beacons needed constant attendance. Such watchmen were specially engaged for periods thought necessary, and were paid for their work by a rate set upon the division concerned<sup>7</sup>.

### *Hue and Cry*

The responsibility of all for keeping the peace did not end with watch and ward: by common law, on the committal of a felony or

<sup>1</sup> Cf. *Herts C.R.* i, 342: A man charged with disarming the watch and taking their staves away. An inept watch.

<sup>2</sup> Cox, *op. cit.* i, 110. By implication, 5 Hen. IV, c. 3, empowered justices in their sessions to enquire of watches, and to punish those guilty.

<sup>3</sup> Hale advised that it should be done by order of Sessions (*P.C.* ii, 97).

<sup>4</sup> *N.R.Q.S.R.* iii, 315: That the night watch from Ascension Day to Michaelmas each year, and the day watch all the year round, shall be duly kept. *Northamptonshire Q.S.R.*, 53: A man came to another who was watchman for the town of Culworth that day.

<sup>5</sup> J. Bond, *Complete Guide for Justices of Peace*, 238: Warding is for apprehending of rogues.

*N.R.Q.S.R.* i, 119: The high constables to cause a day watch to be set in every town to punish wandering persons.

*Northamptonshire Q.S.R.*, 125: Our watch and ward is duly kept for the avoydinge and punishinge of rogues and vagabonds. Cf. *Worc. Q.S.R.* i, 128. *Assoc. Arch. Soc. Rep.* xxxviii, 137: The high constable "came to oversee ye watchmen."

<sup>6</sup> As at Stathern, Leicestershire. From 18 December to 23 April following, 14*d.* a week was paid to the same individual "for watching ye towne" (*Arch. Jnl.* lxi, 130-2).

<sup>7</sup> *N.R.Q.S.R.* vi, 92 and 104.

a serious assault in which the party was wounded, men were if possible to make an arrest. Upon complaint, the constable endeavoured to ascertain a description of the felon, his horse, his clothing, and an account of the goods taken should robbery have been the crime. Then, calling parishioners to his assistance, he searched the parish. Should the offender remain undiscovered, he gave notice to the constable of the next village in the way in which the malefactor was supposed to have gone, while notice in writing should have been sent to every adjacent township with such information as might prove useful. This conscripting of assistance was known as raising the hue and cry<sup>1</sup>. If the cry came to a parish, the constable was immediately to send notice by a parishioner to his fellow-officer in the next parish, and so on. The essential requirement of the hue and cry was speed. The constable must act directly upon the receipt of information, the hue had to be levied by horsemen (27 Eliz., c. 13, sec. 10), any man deputed to carry the message forward must go. In the latter half of the seventeenth century, it seems that the hue was usually carried by one or two men at the constable's order, in some cases a small gratuity being given, and charged in the constable's account<sup>2</sup>. There were several responsibilities in connection with levying the hue. In the first place, for tardyness, the constable might be presented<sup>3</sup>; secondly, a parishioner refusing to do the constable's bidding was similarly treated<sup>4</sup>; thirdly, a parish might be fined for negligent pursuit<sup>5</sup>. Lastly, while the hundred was liable for robberies committed within it (28 Ed. III, c. 11), the inhabitants of that hundred which neglected to take up pursuit when it came to them, answered for half the damages assessed on the division in which the robbery occurred. This liability was a reality in the seventeenth century: a negligent constable could be the cause of a levy on the entire hundred<sup>6</sup>.

<sup>1</sup> *Complete Parish Officer*, 76. Sheppard's *Offices*, ch. 2, sec. 2. Nelson's *Office*, 354.

<sup>2</sup> *N.R.Q.S.R.* i, 215: A man presented for refusing to carry a hue and cry, being commanded by the constable.

*Assoc. Arch. Soc. Rep.* xxxviii, 132: Two pence was given for going in the night with a hue and cry.

<sup>3</sup> *Hert. C.R.* i, 424.

<sup>4</sup> *Ibid.*, 364.

<sup>5</sup> *N.R.Q.S.R.* v, 199: The inhabitants of a parish fined 100 marks.

<sup>6</sup> *N.R.Q.S.R.* vi, 268: A man was robbed of £138 in one hundred. The constable of a parish in another neglected to pursue. The damage assessed on the two hundreds was £124, to be equally shared between them. By 27 Eliz., c. 13, sec. 11, necessary formalities were required before a claim could be entered. The party had—(a) To give speedy notice to the inhabitants of a village near the scene of the robbery; (b) To be examined on oath within twenty days by a justice of the peace, as to whether he knew the robbers; (c) If he did, to enter into a recognizance to prosecute them.

*Justices' Warrants*

The justices, collectively and individually, issued out warrants to order the performance of such things as they considered necessary, or to cause a person to appear before them, either in sessions ; or out of sessions, before one or more of their number. After consulting his manuals, a new justice would be in a dilemma, for he found that upon this most important topic there was no agreement of opinion. On the one hand, conservative writers made it clear that although a justice could grant a warrant to search in suspect places for stolen goods, such a warrant must be warily made, and as warily executed<sup>1</sup>. Moreover it was held to be decidedly risky for a magistrate to authorize the breaking of a house on suspicion, to search for articles stolen, or for a felon, unless the party be first indicted<sup>2</sup>. Lambard was strongly opposed to the practice, supporting his contentions by citing a judgement (14 Hen. VIII, 18), in which it was absolutely condemned as superfluous : a bailiff could arrest a man on suspicion without a warrant<sup>3</sup>, for at common law this was the right of all<sup>4</sup>. Therefore, it was urged, if one be suspected of felony, let the justices grant a warrant to the constable to see the peace kept at his apprehension ; but he who *gave* the information should arrest, it was then his arrest, he must answer any subsequent action<sup>5</sup>. Similarly, justices were spoken of as being in the habit of issuing warrants calling before them offenders against a penal statute, to bind over to answer at the next sessions. Again, the prohibition was explicit : only after an indictment should such a course be followed ; the warrant and the practice were illegal ; "we dare not advise men so to do, being unsatisfied of the lawfulness thereof"<sup>6</sup>.

On the contrary, equally emphatic were those whose teaching was entitled to respect. Dalton affirmed that it were better a suspected person be imprisoned for a time, though wrongfully, than that one who had committed a felony should escape<sup>7</sup>. Also an offence against a penal statute amounted to a breach of the peace,

<sup>1</sup> Shephard's *Sure Guide*, 470-1 *recte* (paged as 270 and 271).

<sup>2</sup> *Ibid.* 44 and 468. Bond's *Complete Guide*, 236.

<sup>3</sup> *Eirenarcha*, 199.  
<sup>4</sup> Cf. *Northamptonshire Q.S.R.*, 53 : A man's house was broken into. One who knew of the felony saw a woman answering the description of the thief. He apprehended her and brought her to the constable.

*Notts C.R.*, 27 : A constable attached a man on suspicion of felony and caused him to be watched one night. That is, until he could be brought before a justice. *N.R.Q.S.R.* i, 86 : A man felonously entering a house was set in the stocks until a warrant could be obtained from a justice to take him to gaol.

<sup>5</sup> Shephard's *Sure Guide*, 467 *recte* (paged as 267). Bond, *Complete Guide*, 41 : The "liberty of every subject is specially favoured by the common law, inasmuch that if an officer (whose actions are favourably to be interpreted) shall unduly imprison any person by an usurped jurisdiction, it is grievously punishable."

<sup>6</sup> Shephard, *Ibid.*, 474 *recte* (paged as 274).

<sup>7</sup> *The Countrey Justice*, 402.

and for a breach of the peace, any justice might bind over the offender to the next Quarter Sessions. Hale is as positive, not hesitating to run counter to Coke, whose opinion he regarded as "too strait-laced, [which] if it should be received would obstruct the peace and good order of the kingdom"<sup>1</sup>. He maintained the common practice was a good one in spite of Coke and the sixteenth century lawyers. Therefore, if A made oath before a justice of a felony committed, and that he suspected B, and showed good cause, a justice might grant his warrant to arrest B, and bring him before himself or some other justice, for examination. So he to whom the warrant was addressed might break the doors to take the offender were he within and refused to yield himself<sup>2</sup>.

When a charge of felony was maintained, before granting a warrant, the justice should bind the accuser to prosecute. The warrant was required to specify when the offence was committed, its nature, and directions in the king's name, to the officer charged with its execution. Before granting it, the justice should have signed it as a completed instrument, not containing blanks to be filled in by others<sup>3</sup>. The warrant might be directed to any officer; the sheriff, bailiff, constable, or even to a private person. But whereas the former might depute execution to his bailiff, the constable must serve the writ personally<sup>4</sup>. If time allowed, the constable waited until next Sunday, and as the congregation dispersed, notified the individual concerned, for on that day and at that hour, it was most convenient to find a parishioner. Or, he might leave "a note in wrytting att their seuerall dwelling houses" were the purport a summons to sessions; but were it to assure personal appearance before a justice, after much walking the constable might meet with anything but a pleasant reception: "why do you follow me with your pimping warrant?"<sup>5</sup>

### *The Recognizance*

Should one accused of serious felony or manslaughter be brought before a justice, upon the examination of himself and witnesses, he was committed to gaol to await trial. Those charged with less grave offences were examined and bound by recognizance to appear

<sup>1</sup> *Pleas of the Crown* i, 579.

<sup>2</sup> Hale, *ibid.* i, 580. Cf. Nelson, *op. cit.*, 383. And *vide* p. 187: He must first acquaint the person for what purpose he had come before breaking the door. Bulstrode's *Reports* i, 146: On a justice's warrant "a constable cannot justifie the breaking of a man's house, unless it be in case of felony."

<sup>3</sup> Shephard, *Sure Guide*, 473 *recte* (paged as 273).

<sup>4</sup> Hale, *op. cit.* i, 581. A sworn or known officer need not show the warrant, but a private person, i.e. a justice's servant, must (Lambard, *Eirenarcha*, 97).

<sup>5</sup> *Herts C.R.* i, 371.

at the next sessions. The examination of the accused was not given on oath, nor as a result of threats ; it must be a free testimony, and, put into writing, certified to the next Gaol Delivery or Sessions, where, being sworn to by the examining justice or his clerk, it could be used in evidence. The witnesses gave their testimony on oath, for the purpose of use against the prisoner should a witness die before the trial or be unable to travel to it<sup>1</sup>. But the majority of warrants were not issued with the ultimate intention of apprehending felons<sup>2</sup>. In a large number of cases, a justice required the appearance of an individual to give his bond, or recognizance, for the due performance of certain specified conditions. These might relate to an appearance at the next Quarter Sessions, that the party bound should reply to a charge or plead (*infra*, p. 37), or give evidence (*infra*, p. 170), or prosecute (p. 37), or cause one named to appear (p. 170), or attend themselves in view of an indictment pending<sup>3</sup>. Or he might be bound to observe an order of sessions<sup>4</sup>, or that he should be of good behaviour, or that he should keep the peace.

A bond for good behaviour, or good abearing (*de bono gestu*), meant that the party bound must "demeane himselfe well, in his port, and company, doing nothing that may be the cause of the breach of the peace"<sup>5</sup>. Thus, it was taken against contentious individuals, lewd persons, night walkers, putative fathers, haunters of ale-houses, slanderers, abusers of officers, and those against whom nothing certain was known, but like men "who lived idly but fared well", much was suspected<sup>6</sup>. It might also be required under the direction of certain statutes<sup>7</sup>. An accusation framed in general terms was not a sufficient ground for justices to require the

<sup>1</sup> Hale, *P.C.* i, 585-6 ; ii, 52 and 284. It is suggested that the emphasis laid by some modern writers, upon the use of the examination as a means of extorting a confession of guilt, is overdrawn. See *Manchester Q.S.* 63, 65 et seq., or *Northamptonshire Q.S.R.*, 49-53. The examination was taken when there was no question of committal.

<sup>2</sup> The wording of a warrant was non-committal. "These are therefore in his Majesties name, to require you . . . [to] carry him before some one of his Majesties Justices of Peace . . . by him to be dealt with according to law" (*Justice Restored* (1661), 108).

<sup>3</sup> *Middlesex C.R.* iii, 7 : A man smote another on the head with a sword, and he languishes to this day. Fined 10s. To find sureties for his appearance next session.

<sup>4</sup> *Infra*, p. 176. Never to offend by shooting again. 34 Ed. III, c. 1, authorized justices to take of them that be not of good fame, sufficient surety of their good behaviour. Cf. Ventris, *Reports* ii, 23. The statute requires them to take surety upon suspicion.

<sup>5</sup> Lambard, *Eirenarcha*, 125.

<sup>6</sup> Dalton, *Countrey Justice*, 213-6.

<sup>7</sup> Cf. 1 Mary, sess. 2, c. 3, sec. 6 : Two justices to take surety for good abearing against one disturbing a preacher. 5 Eliz., c. 21 : For taking fish in a fish pond. 23 Eliz., c. 1, sec. 5 : Against those absenting themselves from church. 7 Jac. I, c. 4, sec. 7 : Against the mother of a second bastard.

good behaviour of an individual : a specific accusation to support the application was necessary<sup>1</sup>.

### *Surety for the Peace*

Surety for the peace was granted against one who threatened harm to the person or property of another : it was "an acknowledging of a bond to the Princee, taken by a competent Judge of Record, for the keeping of the Peace"<sup>2</sup>. Superficially, it differed little from that for good abearing. Theoretically, it was easier to incur a forfeiture of the latter<sup>3</sup> : being in the company of the ill-behaved might be deemed sufficient, whereas in the former case, a deliberate breach of the peace must be alleged. Secondly, Dalton observed that surety for good abearing was usually granted in open sessions, or out of sessions by two or three justices, while the Peace was normally granted by a single justice<sup>4</sup>. Surety for good abearing was normally required by a justice acting *ex officio*, or on the complaint of a credible person<sup>5</sup>. Surety for the peace might be demanded by a justice, or it was taken on receipt of a writ of *Supplicavit* out of Chancery<sup>6</sup>, or on the complaint of an individual, on oath, to a justice, that he stood in physical fear of another, or that his house might be burnt, or chattels injured, by him<sup>7</sup>. The justice then issued out a warrant containing a statement of the cause of the suit, commanding the officer to whom it was directed to require the party to come before the signing justice or some other, to find sureties. Should he refuse to comply, without more ado, the constable arrested, and conveyed him to gaol, there to remain such time as he were obdurate. Neither was it held reasonable for the party to insist on a strict interpretation of the phrase "some other of our said justice" before whom to take bond, the constable should not drag about the country after a delinquent : at the most he could go to some other justice in the limit in which he dwelt<sup>8</sup>.

<sup>1</sup> Shephard's *Sure Guide*, 206.

<sup>2</sup> Lambard, *Eirenarcha*, 82.

<sup>3</sup> Cf. *infra*, p. 9 : W. Allen indicted for bearing himself badly after being bound to the peace.

<sup>4</sup> *The Country Justice*, 213. This distinction was only general. Frequently one justice granted a good behaviour. See too Bond's *Complete Guide*, 180.

<sup>5</sup> Lambard, *Eirenarcha*, 129. Personally, Lambard would "more gladly use the assistance of a fellow justice in this behalf."

<sup>6</sup> Dalton, *Country Justice*, 207-8. The writ might be directed to the sheriff, or one or more justices, or all of the justices. It might fix the sum in which the principal and sureties were to be bound, or leave it to the discretion of the justices. If the writ were directed to the justices in general, he to whom it first came was responsible for its execution.

<sup>7</sup> *Offitium Clerici Pacis*, 38, 1705 ed. .

<sup>8</sup> Lambard, 93-4 and 98-103. Dalton, *Country Justice*, 192-3.

The amount in which a man became bound<sup>1</sup>, the time for which he was to remain bound, the number of sureties, the sum of their bond, were all at the discretion of the justices. Generally two sureties were demanded, it being understood that they were men of local status—subsidymen in the early half of the seventeenth century<sup>2</sup>. The standard appears to have been higher in theory than in practice, and the social condition of the two manucaptors might vary widely. Thus W. Drury of Syston had as one surety a gentleman, the other was a labourer, convicted two years previously for poaching<sup>3</sup>.

The recognizance was a declaration, written in Latin, that A, dwelling at B, of such and such occupation, appeared before C, a justice dwelling at D, and acknowledged himself indebted to the king in so many pounds. And similarly E and F of such places and occupations were bound in  $x$  pounds as sureties. This was signed by the justice, and was followed by the condition, usually in English, declaring that if certain specified conditions were performed, the recognizance should be void<sup>4</sup>. Justices were advised to keep a register of all the recognizances which they granted, for such were to be certified at the next Quarter Sessions<sup>5</sup>, so that the party bound could be called<sup>6</sup>. But if sessions lasted two, or sometimes three days, it was the practice in some Courts to require attendance certain on the first day, with possibly the second as

<sup>1</sup> That is, on a warrant made by a justice *ex officio*. In Kesteven, it was normally from £10 to £40, though in cases the justices regarded as serious it might be £100. Cf. W. Chamberlain, a Morton yeoman, bound *pro bono gestu* in £40, and again in £100 to appear next sessions. *Infra*, pp. 275-6: The case was bastardy.

<sup>2</sup> Lambard, 109. Dalton, *C.J.*, 196. Cf. *N.R.Q.S.R.* iv, 204-5: "He should find two sufficient sureties, subsidymen."

<sup>3</sup> *Infra*, pp. 245 and 161. Another requisite seems to have been the certainty of the sureties remaining in the neighbourhood (*Somerset Q.S.R.* iii, 100). In certain cases near relations were not looked on with favour. A father and brother were refused as manucaptors (*N.R.Q.S.R.* vi, 148). If a manucaptor died, the principal could not be compelled to find a new one (Dalton, *Countrey Justice*, 199 *recte* (paged 190)).

<sup>4</sup> See the recognizances scheduled in the *Northamptonshire Q.S.R.*, 23-49. If an individual objected to being bound by a justice of his county, he became bound in King's Bench or Chancery, upon which a *supersedeas* was sent to the shire, restraining the justices from requiring the peace of him (Dalton, *C.J.*, 194). This practice was held an abuse; it was a means to avoid a trial in one's own county; justice might be evaded if the parties grieved were unable to undergo the charges of a journey to, or trial in London; the securities were often insufficient. Thus, justices' warrants were made of no effect (21 Jac. I, c. 8). In like manner, if A heard that a warrant was granted against him by one justice he could give security to another in the county and obtain from him a *supersedeas*, which prevented any other justice from molesting or arresting him (Lambard, *Eirenarcha*, 103. *Officium Clerici Pacis*, 47-8).

<sup>5</sup> Nelson, 484. By 3 Hen. VII, c. 1. The statute states recognizances for keeping the peace, but normally all seem to have been certified. In the Kesteven books, they were registered each Quarter Sessions under the name of the granting justice.

<sup>6</sup> Dalton, *C.J.*, 199 *recte* (paged 190).

a day of grace<sup>1</sup>, when, upon failure to appear, the recognizance was endorsed *non comparuit*<sup>2</sup>.

### *Release of the Peace*

By a rigid interpretation of principles, as the debt acknowledged was due to the king, if a time limit were unspecified in the recognizance, no release could be obtainable during his life. Conversely, the death of the king voided the obligation. Again, where the conditions specified that the peace be kept against A only, his death cancelled the bond<sup>3</sup>. But the peace was not infrequently required *versus cunctum populum & praecepit versus A*; could A then release at his pleasure? Legally, no; it not being his bond but the king's; yet says Dalton, "the usage now is and long hath been" to the contrary<sup>4</sup>. Towards the end of the seventeenth century, the manuals regarded this as the normal procedure. Any person, at whose instance a justice had taken surety to keep the peace from possible offenders, might release that surety before the same or another justice, and upon the return of the recognizance and the release at Sessions, and the appearance there of the person bound, he was discharged<sup>5</sup>.

The recognizance for the peace and for good abearing played a large part in the life of an average villager. The credibility of the informant, the bodily harm, the arson or loss of chattels, are all quoted in different recognizances at various times. But in many cases the words represented so much common form; the bond was commonly the sequel to a squabble, to angry words spoken in the heat of passion. Out of the fifty-two persons whose names begin with A, and who were bound in these records, only five were actually indicted at sessions. The great function of the recognizance was, that it served to keep the peace. Further, it prevented the gaols from being filled with persons awaiting trial on small charges. A neighbour was always willing to stand for another of average reputation, and though no doubt many stood surety lightly, self-interest made them act as vigilant watchmen should there be any disposition to play false. Imprisonment was

<sup>1</sup> *Som. Q.S.R.* iv, 38 and 211. The latter order directs that the justices failing to certify a recognizance into Court, shall forfeit £5.

<sup>2</sup> By 3 Hen. VII, c. 1, recognizances forfeited through default were to be certified into one of the Courts at Westminster. By the favour of the justices, a forfeiture might be respited until next sessions (*N.R.Q.S.R.* ii, 195).

<sup>3</sup> Lambard, 119 and 122.

<sup>4</sup> *Countrey Justice*, 201. But compare *Som. Q.S.R.*, ii, 240. It was regarded as a grievance that justices released recognizances upon agreement of the parties.

<sup>5</sup> If he who prayed the peace failed to appear, the cosusor was usually bound over for two or three sessions. Lambard, 118.

for those for whom no surety could be found; in effect, for the man condemned by popular opinion<sup>1</sup>.

### *Quarter Sessions*

The return of recognizances, the trial of offenders, the settling of much county business, was carried out at Quarter Sessions<sup>2</sup>, assemblies at which two justices at the least, one being of the quorum, were empowered by the second *assignavimus* of their commission to enquire by jury, or otherwise, and to hear and determine offences as authorized by the commission and the statutes. By 2 Hen. V, st. 1, c. 4, these were to be held in the first weeks after the feasts of St Michael and the Epiphany, after the clause of Easter, and after the Translation of St Thomas the Martyr, or oftener if need be<sup>3</sup>. The sessions were usually held at customary centres, but a change of venue might be made by the justices, provided adequate notice were given, though owing to the dissensions which were bound to arise upon a proposed alteration, the experiment was not frequently attempted<sup>4</sup>. Topographical conditions, and distance produced different arrangements in each shire, "chiefly upon pretence to ease the inhabitants of the countie, for whom it would otherwise be very painefull to trauel so often and farre, from all the partes of the shire to any one place of the same". Thus one or two of the sessions in the year would serve the whole county, the others being held in various traditional places<sup>5</sup>. Kesteven went further than this: it had no general meeting. It was divided into two parts, the northern having sessions at Sleaford for the wapentakes of Flaxwell, Langoe, Aswardhurn, Loveden, and Boothby Graffoe; the remaining wapentakes meeting alternatively at Folkingham

<sup>1</sup> Cf. Lambard, 45-6. Also *Worc. Q.S.R.*, 311: "I think fit the party should stay in gaol unless he can give good recognizance for his appearance at next Sessions."

<sup>2</sup> Colloquially, General Sessions. Lambard notes that they were designated "principal sessions" and "open sessions" by 4 Hen. VII, c. 12, and 27 Eliz., c. 19 (*Eirenarcha*, 596).

<sup>3</sup> All counties did not agree as to the time of holding their sessions. Lambard, 599. Hale states that 2 Hen. V was directive only. *P.C.* ii, 50.

From the printed records it seems that there was a rough synchronization, e.g.,

Herts 1633	29 April	8-9 July	30 Sep.-1 Oct.	13-14 Jan.
Somerset	30 Apr.-2 May	23-25 July	17-19 Sep.	14-17 Jan.
N. Riding	30 April	4 July	2 Oct.	14 Jan.

Dalton noted that in Cambridgeshire, if the feasts fell between Sunday and Wednesday, sessions began the Thursday week after. If between Thursday and Saturday, then the next Thursday (*Countrey Justice*, 14).

<sup>4</sup> *N.R.Q.S.R.* vi, 270: Sessions ordered to be held at Northallerton once in three years. Hist. MSS Comm., *Le Fleming*, 115 and 124: A proposal by certain justices in the Barony of Kendal, that general sessions be held once a year at Appleby, caused differences among the gentry of the county. *Ibid.*, page 116: "The justices of this side" ordered that no writ for holding sessions at Kendal at Easter be accepted.

<sup>5</sup> Lambard, 596.

and Bourne the day before the Sleaford division<sup>1</sup>. There was a tendency for the justices to keep to either one or the other of these groups; Christopher Beresford for example sat regularly on the Sleaford bench from 1680 to 1695, save once in 1680 and once in 1684 when he sat at Folkingham and Bourne respectively<sup>2</sup>.

### *The Precept*

Fifteen days before each sessions, two or more justices, one being of the quorum, sent their precept to the sheriff, notifying the place, and the day on which the sessions would be held, and requiring him to summon the chief constables, twenty-four good and lawful men from each hundred, as also from the body of the shire for jury service, and those who wished to complain of offences. He was to attend himself with his under-sheriff and bailiffs. Another precept directed him to ensure the attendance of specified persons<sup>3</sup>. The sheriff then directed his warrants to the bailiffs of liberties and hundreds, which contained the substance of the justices' precepts; and on making return to the Custos Rotulorum at Sessions, he handed in with the warrants various lists containing the names of coroners, stewards of leets, chief constables, petty constables, and bailiffs of hundreds, the names of those summoned as grand jurors, and as jurors of hundreds, and the names of all charged with offences, whether bailed or in gaol<sup>4</sup>.

### *The Juries*

The law was vague with regard to the property qualifications for grand jurymen at Sessions. Hale remarked that he could find nothing to determine the yearly value of their estate<sup>5</sup>. For the

<sup>1</sup> From 1674 to 1690, Easter and Midsummer Sessions were held at Bourne; the other two at Folkingham, save in 1688 when the Michaelmas Sessions were held at the former place. This might be a clerk's error. From 1691 to 1695, Bourne had Easter and Michaelmas Sessions, Folkingham the other two. Canon Foster states that local tradition asserts that the Folkingham Sessions were opened at a place called the Aveland, an ancient moated site in Aslackby parish; and then adjourned to Folkingham for business. It seems that this division of Kesteven for Sessions purposes existed in 1581 (Hist. MSS Comm., *Ancaster*, 9). Grantham Soke was under the jurisdiction of the Grantham justices (S. Lewis, *Topographical Dictionary*, sub. tit. Grantham).

<sup>2</sup> William Hyde, who attended the southern sessions from 1675 to 1695 did not once visit Sleaford.

<sup>3</sup> See the *Northamptonshire Q.S.R.*, pp. 4 and 5.

<sup>4</sup> *The Office of the Clerk of Assize* (1682), 99 and 105-6.

<sup>5</sup> Quoted by R. Burn, *The Justice of the Peace*, 405 (1st ed.). But see *Pleas of the Crown*, ii, 155. They ought to be freeholders. "The statute of 2 Hen., V c. 3, that requires jurors, that pass the trial of a man's life to have 40s. *per annum* freehold hath been the measure by which the freehold of grand jurymen hath been measured in precepts of summoning of sessions." 27 Eliz., c. 6, requiring a £4 freehold at the least, does not refer to sessions. By 4 and 5 W. & M. c. 24, sec. 15, jurymen, for the trial of issues at Quarter Sessions, were to have a freehold or copyhold of £10 a year.

petty juryman, the old 40s. freehold was requisite<sup>1</sup>, but a loose interpretation of the phrase "*probos et legales homines*" was a subject of complaint. Too often they were men of such small estate that either their attendance was a real hardship, or they were so ignorant that improper verdicts were recorded<sup>2</sup>. To aid the sheriff in returning suitable men for jury service, lists of those qualified were compiled by chief constables or bailiffs for their hundreds, and, after scrutiny by the justices in whose limits the hundreds lay, sent to the sheriff<sup>3</sup>. Such schedules formed the basis of the freeholders' book<sup>4</sup>.

Three types of jury were or might be summoned by the sheriff to attend Quarter Sessions. Twenty-four upright and lawful men were selected *de corpore comitatus* : . . . *ad inquirendum faciendum et exequendum omnia quae eis in parte nostra ad tunc et ibidem injungantur*<sup>5</sup>. These were known as the jury of enquiry for the body of the county, or the Grand Inquest, or the Grand Jury, "grave and substantial gentlemen, or some of them yeomen, chosen indifferently out of the whole shire by the sheriff"<sup>6</sup>. It was held preferable to return three or four from each hundred, though in practice, the grand jury appears to have been composed of high constables<sup>7</sup>. The number sworn varied from sessions to sessions; in Northamptonshire there were fifteen, of whom six were gentlemen, at the Michaelmas Sessions, 6 Car. I; at Easter 1657, there were eighteen; at the Michaelmas Sessions, fourteen, and at the Epiphany Sessions 1657/8, eighteen<sup>8</sup>. At the last three sessions, all are described as gentlemen. In 1689, the Shropshire justices limited those summoned to forty freeholders, and the North Riding justices in the next year fixed the number at forty-eight<sup>9</sup>. The second jury consisted of twenty-four men impanelled from each hundred of the county, the sheriff usually returning, so it was held,

<sup>1</sup> *N.R.Q.S.R.* v, 51.

<sup>2</sup> *Som. Q.S.R.* iv, 146, and *Herts C.R.* v, 195.

<sup>3</sup> *N.R.Q.S.R.* v, 158 and *Som. Q.S.R.* iv, 146.

<sup>4</sup> An additional reason for the book was the protection of jurymen, by ensuring that the service was spread amongst those eligible.

<sup>5</sup> See *Northamptonshire Q.S.R.*, 4. Lambard, 378-9.

<sup>6</sup> Cowell, *Interpreter*, sub. tit., Jurie.

The North Riding justices once ordered "the freeholders book to be presented to the Bench that they may have the electing of the [grand] jury" (*N.R.Q.S.R.* vi, 269).

Persons summoned should be nominated by the sheriff, not left to the discretion of the bailiffs to put in or out whom they choose (*Clerk of Assize*, 99).

<sup>7</sup> See *Clerk of Assize*, 103. *Officium Clerici Pacis*, 21: Constables of every hundred and liberty were called by name. The sheriff collects out of them a grand jury. Lambard, 391: Constables of hundreds attend as jurors.

<sup>8</sup> *Northamptonshire Q.S.R.*, 87, 136-7, 184, 242.

<sup>9</sup> *Shropshire Q.S.R.* i, 122. *N.R.Q.S.R.* vii, 112. By 7-8 W. III, c. 32, sec. 8, the number to be summoned for grand jury service at Quarter Sessions in the county of York was to be forty.

"the petty constables . . . for the ease of the other free-holders in the county"<sup>1</sup>. This was certainly so in Somersetshire, where "the constables and jurors of the hundreds" presented, as they did in Kesteven, for there we find the constables' jury in numerous references<sup>2</sup>. As to the number sworn, no hard and fast rule was followed: the jury might consist of twenty-two, or be just the legal minimum of twelve<sup>3</sup>. Of the petty jury, it is not possible to speak with that precision which one would wish. For the trial of the prisoners at the bar, Hale states that fifteen days before the sessions, a general precept was directed to the sheriff to return twenty-four men, in order that twelve might be sworn should they be required. On the other hand, he describes as the common practice, a casual arrangement whereby jurymen were picked up in court as they might be needed<sup>4</sup>. For a traverse, a special jury seems to have been usually summoned from the neighbourhood concerned, especially in the case of civil actions, such as highway offences, where a knowledge of local conditions was essential<sup>5</sup>. And for the loss of much time, and travelling many miles, there was neither fee nor reward; only perhaps a perquisite: the party for whom the verdict was found "giveth the enquest their dinner that day most commonly"<sup>6</sup>.

<sup>1</sup> *Clerk of Assize*, 110-111.

<sup>2</sup> *Som. Q.S.R.* i, 121. *Infra*, p. 319: The constables' jury for the wapentake of Aswardhurn. *Cf. infra*, p. 107: A man fined 10s. for not appearing on the grand jury, and another fined a like amount for not appearing on the jury of constables. A reference to the Northamptonshire jury lists, where a comparison is possible, does not seem entirely to confirm the statement. In one instance, only in two parishes out of eleven are parish constables to be identified with jurors for the hundred (*Northamptonshire Q.S.R.*, using the lists on pp. 172-8).

<sup>3</sup> *Northamptonshire Q.S.R.*, Clely Hundred, p. 121. Huxloe and Warden, pp. 225 and 226.

<sup>4</sup> *Pleas of the Crown* ii, 260-1. When prisoners were ready for trial, the Clerk of the Peace called the sheriff to return a jury. He returned the freeholders of the county present in court and engrossed their names on a panel. *Cf. The office of the Clerk of Assize*, 152. Dr. J. C. Cox stated that the hundred jury supplied the petty jury (*Op. cit.* i, 114). In the absence of transcripts of panels, it is impossible to verify this assertion. Compare *Northamptonshire Q.S.R.*: In 1630, the precept directs the sheriff, *inter alia*, to summon a jury, the hundred jury, from each of the five hundreds (p. 4); their names appear on pp. 58 to 60. The petty jury is scheduled on p. 87, and only one is a hundredor.

<sup>5</sup> *Northamptonshire Q.S.R.*, 243 and 139. But *cf.* pp. 185-6, where the jury to inquire between the Protector and Ireland, upon a traverse (molesting a preacher) is identical with the jurors sworn to try the prisoners at the bar. Eight jurors in a special panel, Protector versus Ellington (Blasphemy) are identical with those on the other two juries. Distinction should be drawn between criminal and civil cases. For the former, jurymen from the body of the county sufficed (Hale, *P.C.* ii, 264). For the latter, it was preferable they should be *de vicineto*. See 35 Hen. viii, c. 6, sec. 3, and 27 Eliz., c. 6, sec. 5. *Cf.* Cowell, sub tit. *Jurie*. In civil actions real, as many as possible should be from the hundred where the lands or tenements lie.

<sup>6</sup> Smith, *De Republica*, 80.

In Hertfordshire, those living in outlying parts of the shire served at the Summer, and those in the nearer parts, at the Winter Sessions (*Herts C.R.* v, 195).

The functions of these three types of jury were distinct. The petty jury had but one duty ; they declared through their verdict the guilt or innocence of those put to trial, but whether an accused man should stand trial was a matter for the grand jury to decide. The grand jury had another function. The social status of the jurors made it possible for them collectively to point out to the Bench what they considered generally, were evils in the county. A river had been spoilt through the steeping of flax, fish were killed, and cattle would not drink ; county rates were in arrears, the collectors should be called to account ; or in the time of dearth, people were leaving their villages to beg<sup>1</sup>. Moreover, they brought specific accusations against individuals or communities. Highways or bridges in decay should be repaired by a certain village, an ale-house was unlicensed, various persons were engrossers, or they had not attended church<sup>2</sup>. The hundred jury was a jury of presentment which brought to the notice of the Court nuisances and defaults within the hundred of much the same type as presented by the grand jury for the county<sup>3</sup>.

#### *Who Should Attend Quarter Sessions?*

Quarter Sessions was essentially a county meeting for all who lived within its sphere of jurisdiction. Four times a year, a goodly percentage of the population of the shire by force of precept or warrant, or from interest, or curiosity, converged on the sessions town. Theoretically, all justices of the county attended<sup>4</sup>, an ideal which the Privy Council attempted to enforce in the early seventeenth century by the presentment of absentees to that body by way of the Justices of Assize to the Lord Chancellor or the Lord Keeper<sup>5</sup>. To the less punctillious, it sufficed if all were on the Bench at Easter Sessions<sup>6</sup> ; but in the latter half of the century, if Kesteven be typical, attendance was irregular, for often two justices only were at Sleaford<sup>7</sup>. Besides the justices, all engaged in county business were required to assemble : the sheriff to return jurors and receive fines, his under-sheriff, and his bailiffs to answer the execution of precepts and process. The coroners appeared as conservators of the peace and declarers of *exigents* ; the clerk of the peace to read

<sup>1</sup> *Som. Q.S.R.* iv, 42. *Ibid.* 86. Cox, *op. cit.* ii, 136.

<sup>2</sup> Cf. *Northampton Q.S.*, 178 and 236.

<sup>3</sup> They need not restrict themselves to the hundred (Lambard, *Eirenarcha*, 395). He adds that "the most part of them do come in vaine".

<sup>4</sup> Style's *Reports*, 89.

<sup>5</sup> Hamilton, *op. cit.* 68.

<sup>6</sup> Dalton, *C.J.*, 416.

<sup>7</sup> No Christmas Sessions seem to have been held either at Sleaford or Folkingham in January 1683-4, nor at Sleaford, Christmas 1685-6 or Michaelmas 1687. None were held in either division for Christmas 1688 or Easter 1689.

the indictments, to draw process, to enroll the acts of court ; the high and petty constables ; the gaoler with such prisoners as were to appear, and a calendar of the inmates of the gaol ; and the master of the House of Correction with an account of those committed to his custody (7 Jac. 1, c. 4, sec. 9). All jurors returned by the sheriff, and all such as were bound to the peace or good behaviour, or to answer, or to prosecute, or give evidence, were obliged to be present<sup>1</sup>.

### *Quarter Sessions—Procedure*

The business of sessions commenced by the under-sheriff "attended with his bailiffs two by two, with their white rods in their hands" escorting the justices from the place of meeting to the bench<sup>2</sup>. The sessions were then proclaimed by the crier, the clerk of the peace read the commission, the sheriff returned the convening precept, and the names of all officers required to attend were called. The justices and coroners returned their records, and the bailiffs of hundreds submitted their bills to the clerk of the peace for inspection, and transmission to the sheriff that he might select the grand jury, and the jury of hundreds<sup>3</sup>. The names ticked were shown to the justices for their approval, and alteration if necessary<sup>4</sup>, then called, and the grand jury sworn, the foreman first, the remainder in groups of three or four. The charge, a summary of their duties and of the various types of offences they were required to present, a long formal document, filling twenty-two printed octavo pages, was then read. Lambard, ever thorough, would have welcomed in addition, a sermon as at Assizes<sup>5</sup>.

### *Bills of Indictment*

During the reading of the charge, the clerk of the peace wrote the names of the juries, each on a separate sheet, and delivered a copy to the various foremen concerned for their information ; he

<sup>1</sup> See Lambard, 382 et seq. Nelson's *Office*, 531 et seq., Bond's *Complete Guide*, 209. If there were two petty constables in a parish, the attendance of one was usually held to suffice (*Clerk of Assize*, 110).

<sup>2</sup> This account of the procedure is based upon *The Clerk of the Assize*, *ibid.* and *Officium Clerici Pacis*, 20 et seq.

<sup>3</sup> A juryman making default was only excused on special order of the Court for sickness, or a lawful impediment proved on the oath of a sufficient witness or the affirmation of a justice (*Clerk of Assize*, 113). In the North Riding, gentlemen were fined 40s. and yeomen 30s. for default (*N.R.Q.S.R.* i, 193). In Kesteven, the fines were 10s. for default by a grand juryman, or by a member of the jury of constables, and 6s. 8d. for default from the petty jury (*Infra*, pp. 107 and 116). Forfeiture of issues was levied by execution awarded by the justices (27 Eliz., c. 7). For the five years, 1657 to 1661, William, Viscount Brunker was farmer of the fines and issues of jurors, and received £6,290. 14. 6 (S.P.D., 1661-2, 99).

<sup>4</sup> 3 Hen. VIII, c. 12.

<sup>5</sup> *Eirenarcha*, 399.

interviewed those bound by recognizance to prosecute, and others wishing to institute suits, that bills might be framed. The bills were engrossed on parchment, on the back of which the clerk wrote the names of the prosecutor and witnesses, who swore to the truth of their testimony. At this stage, the bill was merely an accusation on the part of the prosecutor, drawn up in formal legal fashion, to be sent to the grand jury for their consideration. The prosecutor and his witnesses accompanied it, that they might be questioned by the grand jury, who thus formed an opinion as to whether the charge was substantiated or not. If they thought not, they endorsed the bill *Ignoramus* (we know it not) and the proceedings dropped. If yes, they wrote *Billa vera* (a true bill), which was in effect, a declaration of what might be the general opinion of the country of the accused<sup>1</sup>. The bill then became an indictment<sup>2</sup>, which was "nothing else but a plain, brief and certain narrative of an offence committed by any person, and of those necessary circumstances, that concur to ascertain the fact and its nature"<sup>3</sup>. The indicted person must answer it, and must expect after it was framed to be "looked more streightly unto"<sup>4</sup>. To ensure that the indictment was correctly drawn as to form, justices were advised to inspect it<sup>5</sup>, before the party was put to answer before a petty jury<sup>6</sup>. While

<sup>1</sup> Smith, *De Republica*, 95.

<sup>2</sup> Lambard, 484. Cowell, *Interpreter*, sub. tit. Twelve men.

<sup>3</sup> Hale, *P.C.* ii, 169. A presentment was a denunciation of the jurors themselves, or of some other officer, without any other information, or without a bill being offered. The terms indictment and presentment were not carefully distinguished in ordinary speech (Lambard, 484). The late Mr Willis Bund noted that an indictment was drawn in technical language and written on parchment. A presentment was drawn up in the words of the jury or the individual responsible for making it, and was written on paper (*Worc. Q.S.R.*, li). Indictments usually concerned felonies; presentments, nuisances, defaults, and trivial offences (Lambard, *Ibid.*).

<sup>4</sup> Smith, *op. cit.*, 87.

<sup>5</sup> Lambard, 506-7.

<sup>6</sup> An indictment was drawn up in Latin, and besides the venue, or reference to the local area over which the Court had jurisdiction, consisted of—(a) The commencement: The name of the offender, the day, time and place the offence was committed, and against whom. (b) The statement, setting out the details of the offence, and the manner of its commission. (c) The conclusion: For an offence at common law, *contra pacem domini regis*, and for an offence against statute law, *contra formam statuti*. See Sir J. F. Stephen, *Hist. of the Criminal Law of England*, i, 275-282, and Hale, *P.C.* ii, 174. Extreme care was necessary that the form and wording of the indictment were free from blemish, and that as drawn it satisfied the niceties of current legal requirements. Otherwise, on appeal, it would inevitably be quashed, as the following examples show—

*For careless engrossing*: Baking *panis assis* and not *panis assis*'. (Style, Reports, 24). *For bad form*: Nineteen persons and J.S. of Huttoft were indicted. Huttoft was no addition of place for the rest (Bulstrode's Reports, i, 183). *For not strictly following the wording of the statute*: Not working on the highways, after notice given *die dominica post festum Pasch*', and omitting *proximam* after *dominica* (Kemble's Reports ii, 354). *For using bad Latin*: Using *mare Romanum* for the See of Rome, "which makes it to be no sense" (Ventriss, Reports, i, 172). *For using figures to express numbers*: (Hale, *P.C.* ii, 170). *For a faulty ending*: In an indictment for

the grand jury were attending to the bills, statutes which were ordered to be read in the sessions were proclaimed by the clerk of the peace, and statutory appointments and rates made<sup>1</sup>.

The crier then proclaimed "The Court commands all persons that have made appearance, and others bound, that they keep their hours at . . . o'clock", and an adjournment was made for dinner. On the Court sitting in the afternoon, the chief constables of the hundreds were called, and sworn to make their presentments truly to the grand jury, this body delivered their bills into court, and the gaoler brought in his prisoners. The more important criminal cases were reserved to the assizes, sessions seldom going beyond larceny<sup>2</sup>. Should a prisoner plead guilty, the clerk of the peace wrote *Cogn'* (*cognovit*) upon the indictment, but if "not guilty", the accused was held to "put himself upon the country", that is, he elected to be tried by jury, and *po. se.* (*ponit se*) was written on the bill. Theoretically, a precept should have been issued to the sheriff to impanel a jury to hear the case at the next sessions<sup>3</sup>, but practically, events moved faster<sup>4</sup>. The next prisoner was then taken until so many were arraigned as might be charged before the petty jury at the same time. The jury were sworn, the cases were

#### NOTES—continued

erecting a cottage, ending *Contra formam statuti*, and omitting *contra pacem* (Keble's *Reports* i, 474).

Hale declared that the great facility with which indictments could be quashed or reversed, was a blemish in the law. "More offenders escape by the over easy ear given to exceptions in indictments, than by their own innocence" (*P.C.* ii, 168 and 193).

<sup>1</sup> Such as 4 Hen. VII, c. 12, on the execution of justice; or 5 Eliz., c. 1, An Act for the assurance of the royal power. At the Easter Sessions, Treasurers for the King's Bench, and the Maimed Soldiers were appointed (43 Eliz., c. 2, sec. 14 and c. 3, sec. 5). Wages were to be rated (5 Eliz., c. 4), and rates for the relief of prisoners in the common gaol to be assessed (14 Eliz., c. 5, sec. 37). By 3 W. & M. c. 12, sec. 24, justices were to assess the price for the land carriage of goods at this sessions. At the Michaelmas sessions, two justices were appointed to view the sheriff's books (11 Hen. VII, c. 15).

<sup>2</sup> Nelson, *op. cit.* 532.

<sup>3</sup> *Notts C.R.*, 24.

<sup>4</sup> Cases which did not touch life and death, that is petty trespasses and offences, were determined the same day unless the party traversed (Cowell, sub. tit. *Iurie*), but it was held that justices ought not to try and determine civil offences in one and the same day, for the defendant needed time to provide for his trial (Croke's *Reports*, Mich. 11 Car. I in B.R. Bumpstead's Case). Cf. *Northamptonshire Q.S.R.*: At Michaelmas sessions, a man was indicted for stealing a sheaf of wheat on 20 August. A true bill. At Epiphany Sessions, pleads guilty (pp. 183 and 244). A woman is accused of stealing a hen on 7 Dec., and on 28 Dec. is bound to appear at the next sessions. At Epiphany sessions, she appears, is tried, and is discharged (pp. 210, 214, 244). A man is bound to the peace for an offence against a minister, 9 Dec. On 12 Jan. the sheriff was ordered to impanel a jury to try him, who at the Epiphany sessions, found for the defendant (pp. 208, 243, 244). If one traversed an indictment, a *venire facias* might immediately issue to try the case at the same sessions (Croke's *Reports*, Trin. 14 Jac. I, in B.R. Rice's Case). The conventional procedure may be illustrated from *Notts C.R.* 23: Mich. Sessions, true bill against man for perjury. Christmas Sessions, arraigned and pleads "not guilty," and the sheriff ordered to impanel a jury to try the case at the next sessions. Easter sessions, found guilty and imprisoned.

heard, and if the accused was found guilty, *Cul'* (*culpabilis*) was added to *po. sc.*, and what in the seventeenth century were merely formal declarations were made by the jury to the effect that the convicted person had no goods or chattels to their knowledge, and that he had not fled. Whereupon *nec Retrax'* (*nec retraxit se*) was added to *po. se. cul.*

[Those called by process were now summoned; and traverses heard, that is, the objections of a person indicted for a trespass, or a contempt, or a petty offence, to the matter or the form of the indictment, provided he became bound to appear at the next sessions, when the case was tried by jury in the ordinary way. While the jury considered their verdicts, recusants were called to yield themselves, grievances might be presented, and the grand jury were discharged. Upon the declaration of final verdict, recognizances were called, settlement and bastardy cases heard, badgers and ale-house keepers licensed, and general orders made. Lastly, prisoners were again set to the bar, and judgment delivered. For cases of small felony, the prisoners were asked "why they should not have judgment of death according to the law for the felonies aforesaid . . . They severally said they were clerks and prayed for benefit of clergy to be granted them, and a book was severally delivered to them, they read each of them as a clerk. And immediately that same day, each was burnt in his left hand according to the form of the statute, and then they were set at large"<sup>1</sup>. For petty larceny, a whipping on the bare back until blood flowed, was ordered.]

### *Punishments*

The normal punishments ordered by Sessions in the latter half of the seventeenth century, were branding, whipping, setting in the stocks, or the imposition of a fine, with imprisonment as an alternative to payment. In all cases of proceedings grounded

<sup>1</sup> *West Riding S.R.* ii, 37-8. By the seventeenth century, benefit of clergy had become a device by which the rigours of the criminal law were mitigated. At common law, arson, rape, homicide, and thefts of goods exceeding 12*d.* in value were felonies, and punishable by death. The fiction was established that all able to read were clerks, and clerks were not punished before secular tribunals, but on being handed over to the Ordinary, were subjected to milder sentences. By 4 Hen. VII, c. 13, a layman could be given benefit of the clergy for a first offence only, and was burnt in the muscle of the thumb with T for theft, or M for murder. From the beginning of the reign of Henry VIII, clergyable offences were gradually narrowed by statute, so that by the seventeenth century, murder, rape, burglarly, highway robbery, horse-stealing, or taking the property of another from his person without his knowledge, were punishable by the ordinary course of law. In practice, laymen were not turned over to the ecclesiastical authorities, so that when clergy was granted, a sentence of imprisonment up to one year could be imposed (18 Eliz., c. 7). In 1623, for larceny up to 10*s.* women were privileged for the first time, and allowed their "clergy".

upon statutes, the prescribed penalty had to be imposed, and this in theory could not be mitigated. In practice, it was customary, if the party came into court before conviction, protested his innocence, and put himself on the mercy of the court, for the Bench to impose a much lighter fine<sup>1</sup>. The cucking-stool was occasionally used for scolds, and the pillory for perjury or deer-stealing<sup>2</sup>; incorrigible rogues were sent to the Plantations<sup>3</sup>. The impression conveyed by an analysis of Quarter Sessions records is, that sentences tended to become more humane, and less mediæval in form as the seventeenth century advanced. The hangings which followed the Devonshire sessions at the end of Elizabeth's reign<sup>4</sup> are seldom met with at a later time, nor the ringing of scolds with basins, nor shaving half the head of a cozenor, nor carting the parents of a bastard through the market, nor making open confession in church for stealing<sup>5</sup>. This latter savours of public penance, and illustrates a further change to be discerned in sessions after the Restoration: there is no reference to ecclesiastical courts when jurisdictions overlapped. Justices were not induced to impute paternity through failure to clear a charge of incontinency before a spiritual tribunal, they do not remit punishment for those who had answered the censures of the church, there does not appear to be *liaison* between the clerk of the peace and the Ordinary to hunt out recusants and dissenters<sup>6</sup>. Has loss of power on the one hand, and the increased status of the justices on the other severed a certain loose but useful relationship? Was the earlier theory of an identity of the interests of church and state less regarded? Were the justices less concerned about public morality? These, and similar questions, deserve answers.

### *Six Weeks Sessions*

For a short time in the reign of Henry VIII an attempt was made to organize sessions in every hundred, held six weeks before Quarter Sessions, where the justices should hear and determine offences particularly connected with maintenance and vagabonds<sup>7</sup>.

<sup>1</sup> This practice was tacitly acknowledged by the Resolutions of the Judges, 1633 (Dalton, C.J., 115).

<sup>2</sup> *Heris C.R.* v, 369. *Notts C.R.*, 32. *N.R.Q.S.R.* vii, 137.

<sup>3</sup> *N.R.Q.S.R.* vi, 220.

<sup>4</sup> Hamilton, *op. cit.*, 30-31. Two men were hung in the N. Riding in 1651 for burglary and horse-stealing, and a woman for felony in 1659 (*N.R.Q.S.R.* v, 84 and vi, 1). Note the editor's remarks on the composition of the jury in the former cases.

<sup>5</sup> *West R.S.R.* ii, 18. *N.R.Q.S.R.* iii, 238-9; i, 47; i, 179.

<sup>6</sup> *Som. Q.S.R.* i, 298 and 215. Hamilton, *op. cit.*, 81.

<sup>7</sup> 33 Hen. VIII, c. 10. Repealed 37 Hen. VIII, c. 7.

These sessions were known as Six Weeks sessions, and those interested in county administration in Elizabeth's reign would gladly have seen them revived, though the popular voice was unfavourable; "by this meane wee shall drawe vpon vs againe, the same inconueniencie of troubling the Countrie that happened by the sixe weekes Sessions"<sup>1</sup>. Considerations of public convenience rarely worried the Privy Council. In 1605, circular letters seem to have been sent to all counties, ordering the formation of divisions so that none had to travel above seven or eight miles, and the appointment of justices to be responsible therein. They were to assemble "near the mid-time between each sessions" and inquire concerning statutes of labourers, ale-houses, the assize of bread and ale, rogues, recusants, felonies, and artificers. It was to be a court of equity as well as a police court: it was to act as an agency to ensure that all county officers from justices downwards, did their duty<sup>2</sup>. While it is difficult to find traces of the Six Weeks sessions in operation, constant references are met with which show that in addition to the Quarter Sessions, justices were holding sessions where and when they thought convenient.

### *Special Sessions*

Such meetings were called Special or Privy sessions<sup>3</sup>. They are further to be distinguished from Quarter Sessions in so far as they were not held for the county<sup>4</sup>, but for a division; for example, the hundred<sup>5</sup>. They were for enquiry only, or for some particular business<sup>6</sup>, and they could take as much or as little business as they liked<sup>7</sup>.

These meetings might be held in response to an order of Quarter Sessions; Devonshire justices were to meet once a month in their divisions to take the names of absentees from church<sup>8</sup>; or under the direction of the judges of assize<sup>9</sup>. Statutes occasionally ordered

<sup>1</sup> Lambard, 619.

<sup>2</sup> See the full text in Hamilton, 67-71. Dr Cox printed the letter received by the Derbyshire justices, *op. cit.* i, 4-6. Cf. *N.R.Q.S.R.* i, 30, "an order made in the last six weekes sessions" (1606).

<sup>3</sup> They were empowered to do this by 2 Hen. V, st. 1, c. 4, and the Commission. Cf. *ad certos dies & loca, quae vos & aliqui hujusmodi duo vel plures vestrum ut predictum est ad hoc provideritis* . . . See Shephard's *Sure Guide*, 38.

<sup>4</sup> Style's *Reports*, 359.

<sup>5</sup> *N.R.Q.S.R.* vii, 141: "at a special sessions in the wapentake of Bulmer".

<sup>6</sup> Things done at a Private Sessions ought to be returned to Quarter Sessions (*Justices Case Law*, 183). Fines might not be assessed, or process awarded unless two justices, including one of the quorum, were present (*Officium Clerici Pacis*, 51).

Ordinarily, the sessions were for the despatch of county business, or concerned with ale-houses or the poor (Hale, *P.C.* ii, 48).

<sup>7</sup> *H.C. Compendium*, 216.

<sup>8</sup> In 1681. Hamilton, 183.

<sup>9</sup> *Ibid.*, 81. The justices were to meet at least once between every sessions, principally to enforce 1 Eliz., c. 2, sec. 14, the forfeiture of 12*d.* for not coming to church.

meetings for special purposes; twice a year the justices had to meet in their divisions to put the act against rogues and beggars into execution<sup>1</sup>, and to ensure the efficient working of Elizabethan labour legislation<sup>2</sup>. The great merit of small justices' assemblies, Lambard thought, was that it cleared the gaols of those who required punishment, protecting them from contaminating influences. Such sessions seem very like modern Petty Sessions, but as Sir W. S. Holdsworth has pointed out, the term in its present connotation is relatively modern<sup>3</sup>. In the seventeenth century, it was employed for special sessions convened for the transaction of particular business; in Somersetshire for Brewster Sessions, at which men were presented who sold ale over the official price, or who kept unlicensed ale-houses<sup>4</sup>. Elsewhere the term is applied to sessions for signing Hearth Tax certificates<sup>5</sup>, but generally speaking it denoted a meeting not of the justices, but of high constables<sup>6</sup>.

### *Monthly Meetings*

It was customary in the seventeenth century, for the justices living in a hundred to assemble once a month at their "monthly meeting". They were enabled to overlook Poor Law administration<sup>7</sup>, officers were there sworn<sup>8</sup>, small offences, over which justices possessed summary jurisdiction could be disposed of<sup>9</sup>, cases could be given a preliminary hearing<sup>10</sup>. In the North Riding, churchwardens and overseers attended to give an account of the discharge of their offices<sup>11</sup>, and petty constables were to return answers to questions on which the justices required information<sup>12</sup>. They were meetings at which much routine legal and administrative work could be done to relieve the pressure at Quarter Sessions; justices who knew local conditions intimately, were enabled to supervise parish officers; it was a time when advice could be obtained, and troubles effectively coped with before they assumed serious proportions.

<sup>1</sup> 7 Jac. I, c. 4.

<sup>2</sup> 5 Eliz., c. 4, sec. 37.

<sup>3</sup> *Hist. Eng. Law* i, 293-4 (3rd. ed.) 6 Geo. IV, c. 50, sec. 10, used it to "denote a sessions of the justices held to supervise the lists of persons qualified to serve on juries". 12-13 Vic., c. 18 (1849), speaks of "certain meetings of the Justices called petty sessions".

<sup>4</sup> *Som. Q.S.R.* i, 36, 91, 92. In the N. Riding, such sessions were sometimes spoken of as *pro Brascatoribus* (*N.R.Q.S.R.* i, 157).

<sup>5</sup> Hist. MSS Comm, *Le Fleming*, 83.

<sup>6</sup> See *infra*, p. cxiii.

<sup>7</sup> Dalton, *C.J.*, 105. Cox, ii, 165: A woman allowed 3s. weekly until the next Monthly Meeting be held.

<sup>8</sup> *West R.Q.S.* ii, 126.

<sup>9</sup> *E.g.*, 4 Jac. I, c. 5 and 21 Jac. I, c. 7: Drunkenness and tippling. Hamilton, 190-1.

<sup>10</sup> *Shropshire Q.S.* i, 110.

<sup>11</sup> *N.R.Q.S.R.* vi, 31.

<sup>12</sup> *Ibid.* vi, 86-87.

*County Rates*

An important item of county administration with which the justices were entrusted at Quarter Sessions, was the management of various county rates. In the seventeenth century rates for each purpose were assessed separately, and in the majority of instances were paid over to different individuals as treasurers<sup>1</sup>. The more important regular rates were levied for the relief of maimed soldiers, for the prisoners in the King's Bench and Marshalsea, for the relief of poor prisoners in the county gaol, for the House of Correction, and the repair of county bridges.

*(a) Rates for the Relief of Maimed Soldiers*

Soldiers and sailors, incapacitated by wounds or sickness incurred in the service of the state might be relieved from a county fund raised by a rate imposed by the justices at Quarter Sessions upon every parish in the shire. The average payment *per* parish *per* week was not to exceed 6*d.*, while no parish could be rated above 10*d.* or below 2*d.* Ten days before each Quarter Sessions, the churchwardens and constables of the parish collected and paid their quota to the high constable, who was responsible for handing it over to such treasurers as should be appointed<sup>2</sup>. Annually, at the Easter sessions, one or two men of some status in the county were appointed Treasurers<sup>3</sup>, being responsible for holding the stock, for giving immediate relief to a qualified applicant, and paying him quarterly the sum assigned by the justices<sup>4</sup>. On going out of office, they submitted their accounts for audit<sup>5</sup>. Theoretically unpaid, the Treasurer, or his under-treasurer was, in some counties, allowed a gratuity, as in the North Riding, where 4*s.* 6*d.* was granted for attendance at sessions; or Shropshire, where the under-treasurer received a salary of £5<sup>6</sup>. As if to emphasize the intensely local character of English county administration, the mode of appointing to this recently created office tended to vary considerably. In Nottinghamshire, one treasurer acted for the northern, and the

<sup>1</sup> By 12 Geo. II, c. 29, one general county rate might be made by justices at Quarter Sessions to answer all former county rates.

<sup>2</sup> 43 Eliz., c. 3, repealing 35 Eliz., c. 4, and 39 Eliz., c. 21. By 13-14 Car. II, c. 9, for the relief of Royalist soldiers, such further sums as the justices in Quarter Sessions should think fit, might be levied, the additional rate *per* parish not exceeding 2*s.* 6*d.* or not being less than 3*d.* a week. As an encouragement, high constables were sometimes allotted a percentage of their collection, 6*d.* and 1*s.* in the pound being given at various dates in the North Riding (*N.R.Q.S.R.* ii, 24 and i, 53). The average payment *per* parish in Kesteven seems to have been 6*d.* a week from October 1677 to April 1678. Then it was reduced to :*d.* *Infra*, pp. 72 and 82.

<sup>3</sup> Subsidymen assessed at £10 in lands, or £15 in goods (sec. 5).

<sup>4</sup> Section 5.

<sup>5</sup> *Infra*, p. 37. The Treasurer to pass his accounts on 4 May next before two justices.

<sup>6</sup> *N.R.Q.S.R.* v, 172. *Shropshire Q.S.O.* i, 101.

other for the southern parts of the county; in Derbyshire the clerk of the peace acted as county treasurer; in Kesteven, one treasurer was appointed for the whole division<sup>1</sup>.

An applicant was required to produce a certificate from his late commanding officer testifying as to his service and disability<sup>2</sup>, he was to be examined by the justices as to his impotency, loyalty and indigence<sup>3</sup>; and ill-conducted pensioners soon found it was easy to lose their allowance<sup>4</sup>. A pension was granted by the justices in sessions, and could only be altered there<sup>5</sup>. Upon an allotment of relief from the county stock, the soldier's name was entered in a book kept for the purpose, normally by the clerk of the peace, who in some instances was recompensed by an annual grant from the fund for the clerical work involved<sup>6</sup>. The amount of a pension lay entirely within the discretion of the justices, provided that no soldier's pension should exceed £10 a year, with an officer's grant in proportion. They might induce a claimant to accept a small lump sum as a composition, or buy him a cow on the "condition that he be no more troublesome"<sup>7</sup>. They could, like the Somersetshire justices, allow for the loss of a hand or arm an annual pension of £4, and award one of from £2 to £3 for wounds not involving the loss of a limb<sup>8</sup>. In Kesteven, although various sums are mentioned from twenty shillings to five pounds, the entries appear to indicate that the justices considered two pounds a year sufficient for a pension in an average case.

<sup>1</sup> *Notts C.R.*, 12-13. Cox, i, 119.

*Infra*, pp. 338 and 493. In 1683, and the three following years, the same individual was chosen. At Easter 1688, the treasurership was combined with that of the King's Bench, for the year, and in 1695 another attempt seems to have been made to appoint the same individual to both offices.

<sup>2</sup> Sect. 9. By sec. 8 he must appeal to the Treasurer of the county in which he was pressed, or if a volunteer, where he was born, or last lived three years; or if unfit to travel, to the Treasurer of the county where he landed. The North Riding justices would not pension a man who "did voluntarilie goe to serve". *N.R.Q.S.R.* i, 116.

<sup>3</sup> Hamilton, 173. In the N. Riding, a claimant had to be aged, and not worth £20 (*N.R.Q.S.R.* vi, 110). Under the Commonwealth, only those who had served with the Parliamentary forces could press their claims. After the Restoration, the converse was true. In 1677, the Wiltshire justices promptly rescinded two pensions, on discovering that the beneficiaries served with the Parliamentary forces (*Hist. MSS Comm., Var. Coll.* i, 155). As late as 1698, an old Royalist officer was pensioned in Yorkshire (*N.R.Q.S.R.* vii, 165).

<sup>4</sup> *N.R.Q.S.R.* vi, 23.

<sup>5</sup> *Shropshire Q.S.O.* i, 101-2. In this county five justices were to be present.

<sup>6</sup> *N.R.Q.S.R.* i, 53: The treasurer received £6.13.4 in 1606. In 1624 this was reduced to £4 *per ann.* (iii, 214), and thereafter was to be 40s.

<sup>7</sup> *N.R.Q.S.R.* i, 30 and 229.

<sup>8</sup> *Som. Q.S.R.* iii, 39. In assessing the values of a pension, consideration must be made as to whether the applicant was wholly or partially disabled, and as to what the justices thought fit to order in other cases. In 1693, the N. Riding justices directed that an unnatural son with good estate, who refused to support his old father, should pay 12*d.* a week (*N.R.Q.S.R.* vii, 137).

The county rate was not illimitably expansible: it was controlled by the attitude of the justices as well as by a statutory maximum. Hence, fit applicants for pensions were not necessarily placed at once on the roll of regular recipients. They might receive a small sum for present relief as an earnest, and a promise of "the next pension that fall", the death of a pensioner creating a vacancy that was filled from the waiting list<sup>1</sup>. Should any unfortunates, as a result of bad book-keeping, inadvertantly receive grants which produced a debit balance in the accounts, those pensions causing the deficit were cancelled "until the role be purged of such as ought to be outed, or a greater charge raised upon the county"<sup>2</sup>. Indications may be detected that the expenditure was viewed with some apprehension<sup>3</sup>. The Devonshire order that none were pensionable until relieved by their respective overseers has been explained as an attempt to place the burden upon the parish<sup>4</sup>. Nottinghamshire justices reduced the scale by half; the North Riding bench ordered the collections to cease, and Kesteven recipients were required to present themselves to show cause why their pensions should be continued<sup>5</sup>. Before too hastily condemning the magistrates, let it be remembered that some who were not truly indigent managed to get a place on the roll, that the able-bodied could turn an old wound to a financial advantage, and that the relations of deceased pensioners continued to draw the gratuity. Fraudulant claims were not unknown even in the seventeenth century<sup>6</sup>.

(b) *Rates for the King's Bench and Marshalsea*

At the Easter sessions yearly, the justices rated each parish in the county, so that none paid over sixpence or under a halfpenny

<sup>1</sup> *Infra*, pp. 25, 125.

<sup>2</sup> *Shropshire Q.S.O.* i, 101-2. This entry provides an illuminating description of an attempt "to square the book". Cf. *infra*, p. 131; A man's pension is, when there is a supply of new money in the Treasury, to be augmented to better proportions.

<sup>3</sup> Some idea of the sums paid may be obtained from the following—

North Riding	1662	£468 rate imposed	(vi, 62)
Devon	1667	£565 do. do.	(Hamilton, 208)
Shropshire	1668	£368 10 the charge for 201 persons	(i, 101)
Somerset	1673	£652. 8. 3 expended	(iv, 159)
Devon	1674	£376 raised for 203 persons	(Hamilton, 175)
		(Note the correspondence with Shropshire).	
Kesteven	1687-8	£105. 14. 8 expended	( <i>Infra</i> , p. 336).

<sup>4</sup> Hamilton, 175.

<sup>5</sup> *Notts C.R.*, 96 (1681). *N.R.Q.S.R.* vii, 49 (1681). Later the order was qualified. See vii, 62. Kesteven, *infra*, p. 376. The reduction by a third in the Somersetshire rate might be explained by the death of old soldiers (*Som. Q.S.R.* iv, 176 (1675)). In 1677 most of the pensioners are spoken of as being dead in the North Riding. Cf. *N.R.Q.S.R.* vi, 279.

<sup>6</sup> *N.R.Q.S.R.* vi, 109. *Som. Q.S.R.* iv, 60 and 114. To counteract abuses, all were to draw their money at Quarter Sessions directly from the high constables (iv, 114).

a week, the average not exceeding two-pence, to furnish the contribution required for the relief of prisoners in the King's Bench, and in the Marshalsea, to provide a fund for assisting poor hospitals or almshouses within the shire, to aid those who had incurred loss by fire, water or other causes, and for charitable purposes generally. At the same sessions they were to choose one or two treasurers for the fund, on whom the office was compulsory, under a minimum penalty of £3 for refusal, and as a guarantee against the appointment of irresponsible individuals, the statute provided that treasurers for the King's Bench must be assessed at £5 in lands or £10 in goods in the subsidy book<sup>1</sup>. It was the duty of the treasurer to receive at Quarter Sessions the collection of the hundreds from the high constables, who had, ten days previously been paid by the churchwardens the rate gathered from their respective parishes<sup>2</sup>. At least twenty shillings were required from the county or division for the King's Bench, and a like sum for the Marshalsea, but seldom does the statutory minimum appear to be greatly exceeded<sup>3</sup>. It represented however only a fraction of the fund at the disposal of the justices<sup>4</sup>, who ordered payments to be made to certain recognized hospitals<sup>5</sup>, or to those whose houses were damaged by fire<sup>6</sup>, or to individuals requiring pecuniary assistance<sup>7</sup>. The same rate might be used to provide for the salary of the master of the House of Correction<sup>8</sup>. In Kesteven, it was turned to such miscellaneous purposes as rewarding those who apprehended robbers or carried offenders to gaol, or payment for repairs to the Shire Hall, or the purchase of books and copies of statutes for the clerk of the peace<sup>9</sup>. It might be utilized to make good the deficit in the Maimed Soldiers account, or to pay such compositions as the clerk of the peace could

<sup>1</sup> 43 Eliz., c. 2, sections 12-16. The Kesteven treasurers from 1675-95, were always justices save on two occasions. As a general rule they were appointed at Sleaford and Bourne in alternate years. It should be remembered that in 1688 and 1695, there was one treasurer for the Lame Soldiers and the King's Bench.

<sup>2</sup> There are only two references to parish assessments in the Kesteven orders. In 1684 the weekly charge to be augmented two-pence per town; four years later the hundred total was halved (*Infra*, pp. 171, 138).

<sup>3</sup> Shropshire paid its £2 a year as did Somerset (*Shrop. Q.S.O.* i, 115; *Som. Q.S.R.* iv, 124). Apparently Kesteven sent £3. 3s. 0d. (*infra*, p. 198). The treasurer paid the money to the sheriff for transmission to the Lord Chief Justice and the Knight Marshall.

<sup>4</sup> Precise totals are not easy to ascertain, but in Somerset 1669-70, £193 0s. 8d. was expended (*Som. Q.S.R.* iv, 85).

<sup>5</sup> At least five in Somerset. One was paid £3. 6s. 8d. each Quarter Session (*Ibid.* iii, 19, 34, 78, 117, 124).

<sup>6</sup> A frequent calamity. See *infra*, p. 245. Note that the petitioner was a Holland man.

<sup>7</sup> See *infra*, pp. 217, 232: £5 to a decayed schoolmaster. Forty shillings to the surgeon who attended a labourer injured in the Dutch wars.

<sup>8</sup> 7 Jac. I, c. 4, sec. 6. Cf. *infra*, p. 198.

<sup>9</sup> *Infra*, pp. 63, 74, 99, 181, 232, 238.

effect were the county in trouble over its roads and bridges<sup>1</sup>. The assessment tended in the hands of the justices to approximate to a general purposes rate<sup>2</sup>.

(c) *Rates for the Relief of Poor Prisoners*

A third county rate levied by the justices was that for the support of poor prisoners in the county gaol. At their Quarter Sessions, they were empowered to assess sums not exceeding "six pence or eight pence" a week on every parish, which were to be collected on Sunday by the churchwardens, who once a quarter paid over the sum to their respective high constables. A sufficient person dwelling near the gaol was deputed to act as treasurer and to distribute the proceeds of the rate weekly, as directed by Sessions<sup>3</sup>.

*Houses of Correction*

County rates were occasionally required for, and a portion of the King's Bench assessment was normally put to, the support of Houses of Correction. By 18 Elizabeth, c. 3, and 39 Eliz., c. 4, justices of the peace might erect Houses of Correction within their divisions: by 7 Jac. I, c. 4., they were compelled to do so. These institutions, as seen through the statutes, were established with a four-fold object<sup>4</sup>. Their foundation was part of the campaign waged by the Tudors and Stuarts against vagrancy. This did not mean that every vagabond or rogue taken by a constable could legally be sent thither forthwith, even by a justice, although that was done<sup>5</sup>. The House was designed for those definitely settled in a parish<sup>6</sup>. Secondly, it was to be used for the chastening of parishioners who disliked work<sup>7</sup>, for lazy, "idle, loose, light fingered, pilfering" fellows<sup>8</sup> who were troublesome in the parish, but could hardly be indicted.

<sup>1</sup> *N.R.Q.S.R.* ii, 269 and v. 148. Cf. *Som. Q.S.R.* i, 22-23.

<sup>2</sup> To a less extent, the Maimed Soldiers fund was drawn on for such items as renewing commissions, or to pay for the escort of prisoners, or for relieving those whose houses were burnt (*Infra*, pp. 302, 351, 448).

<sup>3</sup> 14 Eliz., c. 5, sec. 37. Cf. *infra*, p. 440: Mr Th. Collinson of the Close, Lincoln, to serve the office of Treasurer for prisoners in the Castle for this year. It is difficult to explain how the Kesteven justices could appoint a man living out of their division. At the same sessions, the Treasurer of the King's Bench was ordered to make payments for the future out of his fund for the relief of prisoners. The two rates would then seem to have been combined.

<sup>4</sup> 39 Eliz., c. 4, and 7 Jac. I, c. 4. Also 34 Eliz., c. 5.

<sup>5</sup> *Infra*, p. 177: A dissolute traveller was sent to the House of Correction and kept at hard labour. See too, *infra*, p. 235.

The vagrant should have been sent only after arrival at his place of settlement.

<sup>6</sup> Shephard, *Sure Guide*, 283, and *Justice's Case Law*, 293.

<sup>7</sup> A woman is to have a place chosen for her by the overseers. If she refuses to go, to be sent to the House of Correction. *Infra*, p. 417.

<sup>8</sup> *Notts C.R.*, 42.

Such, on the petition of neighbours, might be ordered there to learn wisdom<sup>1</sup>. Thirdly, it was a place of punishment for the mothers of illegitimate children. Lastly, the unemployed might there be provided with some sort of occupation to prevent them from wandering about begging, or learning evil habits, and committing misdemeanours. It had the additional advantage of preventing them from coming upon the parish<sup>2</sup>.

The House of Correction had therefore to fulfil two functions simultaneously. On the one hand by the whippings administered and the labour enforced, it was to "be a house of terror to . . . incorrigible people"<sup>3</sup>; on the other hand, it should succour those poor "that desire to work"<sup>4</sup>.

So serviceable was the House of Correction in the seventeenth century that it was often put to uses hardly contemplated by the framers of the statutes. County authorities tended to regard these houses as a species of infirmary where sufferers from serious physical disabilities might conveniently be placed, or got rid of<sup>5</sup>; they were used as places of restraint for mental cases<sup>6</sup>; and as reformatories<sup>7</sup>. Those who could not, or would not be bound, or pay a fine, or who were suspected of felony might be lodged in the House of Correction rather than the gaol<sup>8</sup>. The Kesteven justices committed three men to the House for three months without bail or mainprise for killing conies: it were better that "persons for small offences . . . be rather sent there and kept to work than to the Comon Gaole where they be a long tyme idle, chardging the county

<sup>1</sup> *Som. Q.S.R.* iv, 128.

<sup>2</sup> *N.R.Q.S.R.* iv, 55: Fishermen unemployed during the winter, are to be sent to the House of Correction to labour.

<sup>3</sup> *Notts C.R.*, 29. Cf. *N.R.Q.S.R.* vi, 25 and 249.

<sup>4</sup> *N.R.Q.S.R.* vi, 25. Cf. *Keble's Reports* ii, 538: "If persons able marry in the parish, or come thither, they may be sent to the House of Correction to work untill they can be provided by themselves, but not to be there punisht, unless they refuse to work". Note however the compulsion. *N.R.Q.S.R.* v, 107: The Master to employ at his own charge all persons willing and able to work, or such as the overseers of the parish appoint unto him. *Som. Q.S.R.* i, 195: The keeper of the House of Correction at Taunton was allowed 20 marks a year to set poor people on work. In future £20 to be estreated for the purpose.

<sup>5</sup> Cf. a dumb cripple (*Herts C.R.* v, 215).

<sup>6</sup> *Som. Q.S.R.* i, 223: A woman not well in her wits and given to arson sent there. Cf. *Midd. S.R.* iii, 291. But note *Som. Q.S.R.* iii, 125: A lunatic to be secured in a meet place, other than the House of Correction. *Infra*, p. 361: A mental defective ordered to be released from the House of Correction and sent home, where she is to be looked after by the overseers.

<sup>7</sup> *Herts C.R.* i, 242: A runaway apprentice who stole wood to be sent to the House of Correction. Likewise a boy guilty of stealing 24s. 6d. and being within 14 years of age (*N.R.Q.S.R.* vi, 232).

<sup>8</sup> *Infra*, p. 291: *N.R.Q.S.R.* iii, 236: A man of evil life, suspected of divers felonies which are likely to appear before the next sessions, to be sent to the House of Correction. Cf. *Ibid.* iii, 195: A man charged with stealing harrow teeth escaped from the House.

and learne nothinge but mischiefe . . .”<sup>1</sup>. Hence the master of the Kesteven House of Correction is addressed as the “Jaylor”<sup>2</sup>.

The number of Houses of Correction in the county and their situation was as the magistrates chose and thought convenient. Entries lead one to infer that in some instances there may have been one for a hundred<sup>3</sup>; some counties had three<sup>4</sup>, others were satisfied with one<sup>5</sup>. After the selection of a site, it was usual for the justices to appoint a small committee to supervise erection and equipment<sup>6</sup>, which might cost anything from two to four hundred pounds if an entirely new establishment were provided<sup>7</sup>, raised by a rate on the inhabitants of the division concerned. Lesser sums might be taken from any fund happening to present a balance, by way of a loan<sup>8</sup>.

### *The Master*

The master was essentially a servant of the justices, who appointed him, and fixed the scale of his remuneration. Not infrequently the favoured candidate was described as gentleman<sup>9</sup>, at other times, with an eye to his duties, a clothier was appointed<sup>10</sup>. The post was obviously regarded in some counties as a good berth for a suitable old soldier<sup>11</sup>. The salary varied considerably, it might be £60, or as little as £20 a year<sup>12</sup>; with a possibility of certain

<sup>1</sup> *Infra*, p. 400. *Shropshire Q.S.O.* i, 3.

<sup>2</sup> *Infra*, p. 490. *Cf. N.R.Q.S.R.* i, 75: The gaoler at Thirsk House of Correction (1607). Inmates are habitually spoken of as prisoners, and appear in certain instances to have had hard usage. At Ilchester the rooms were liable to flood, and the floors were unplanked (*Som. Q.S.R.* ii, 67). A man lost his foot as a result of ironing (*Ibid.* 208). *Cf. Worc. Q.S.R.* i, 453: A woman complains of her cold and hard usage. *Ibid.* 212: A petition for the release of a man, “we having compassion on him”.

<sup>3</sup> *Herts C.R.* v, 416. A House of Correction to be erected in the Hundred of Dacorum at the charge of the inhabitants. *Cf.* p. 142: the high constables of the several divisions to deliver to S.C. all the implements and stocks of money which belong to the several Houses of Correction in the county.

<sup>4</sup> *Somerset Q.S.R.* i, 351.

<sup>5</sup> The Kesteven house was at Folkingham. The seventeenth century building has disappeared but one erected later is still partially standing. It is well worthy of careful inspection.

<sup>6</sup> *N.R.Q.S.R.* v, 55.

<sup>7</sup> *Som. Q.S.R.* i, 344: £160 for the building, £60 for fitting and furnishing. Richmond House of Correction cost £300 for land and building, £30 for tools, and £100 for stock (*N.R.Q.S.R.* ii, 183, 229, 240; iii, 134).

<sup>8</sup> *N.R.Q.S.R.* vi, 116: The balance of the beacon money to be lent for the repair of the House of Correction at Thirsk.

<sup>9</sup> *N.R.Q.S.R.* iv, 24; vi, 61; vii, 46.

<sup>10</sup> *Ibid.* ii, 229. *Som. Q.S.R.* iii, 80. *Cf. Northants Q.S.R.*, 191, a tanner.

<sup>11</sup> *Herts C.R.* i, 375: An old soldier of Charles I, making known his sufferings to the justices, was appointed governor of the Buntingford House of Correction. *N.R.Q.S.R.* v, 180: One who had done good service in Scotland appointed.

<sup>12</sup> *Manchester Q.S.*, 86. *Notts C.R.*, 30. The sum required was partly paid by the Treasurer, and partly by a special rate, or entirely by a rate collected by the parish officers, and paid to the high constable, who passed it to the treasurer (*N.R.Q.S.R.* vi, 156 and 194).

deductions for the rent of the house or for the provision of implements<sup>1</sup>. Within the House, the justices assumed full control, the master being their executive officer. They ordered the discharge of inmates; they issued regulations for the government of the place. These vary greatly in detail, but as a specimen those drawn up for the Preston House of Correction may be cited. The master was to have a salary of £60 a year and at his own charges to provide food, sheets, hose, "cassocks of sakinge", and work for such as were sent to him. He was to engage and pay the attendants, and relieve the sick up to the number of six. The county equipped the house with implements, bedding and irons, and renewed them, but all repairs were at the charge of the master. Each month, three justices were to meet at the House to view the prisoners and release or continue them as they thought fit. The master was required to keep a register giving particulars of entrance, punishment, and discharge. All were to be kept close at work<sup>2</sup>.

### *Equipment*

For professional purposes, the master needed equipment of two descriptions. To rule the inmates he required irons or fetters, handbolts, stocks, a whipping post, and whips<sup>3</sup>. To employ them, there must be "tools and instruments for clothmaking", spinning wheels, and a loom. The Somerset justices stressed the need of a hand mill, which might have been used for the drawing of hemp, or the grinding of malt or corn<sup>4</sup>. Finally, a stock of raw material to employ those committed was an essential<sup>5</sup>. It was declared that those in the House for punishment "shall in no sort be chargeable to the country . . . but shall have such . . . allowance as they shall deserve by their own labour and work"<sup>6</sup>. The place was really a manufactory, run by the governor to augment his stipend, and to support the prisoners<sup>7</sup>. Most persons knew how to spin, and in the cloth-working counties, a knowledge of rough weaving

<sup>1</sup> *N.R.Q.S.R.* vi, 24. *Notts C.R.*, 30.

<sup>2</sup> *Manchester Q.S.*, 85-88. See *North. Q.S.R.*, 191: An important part of the master's duty at Northampton was to search for rogues through the county at frequent intervals, and in this connection, to present negligent constables. When a master was inactive, it was maintained that rogues flourished. *Som. Q.S.R.* i, 352.

<sup>3</sup> *N.R.Q.S.R.* ii, 235 and vi, 268. *Hist. MSS Comm, Var. Coll.*, i, 90. 7 Jac. I, c. 4, sec. 4: He was to set rogues and idle persons to work and punish them with fetters and a moderate whipping.

<sup>4</sup> *Som. Q.S.R.* iv, 148. *Midd. C.R.* iii, 44. A Wiltshire House contained:—one broad loom, one little malt mill, six spinning turns, three reels, one pair of stocks, four bedsteads, one wheat mill, a pair of scales, one pair of mill stones, seven pair of irons, three pair of hand bolts (*Hist. MSS Comm, Var. Coll.*, i, 90).

<sup>5</sup> This the master might have to provide himself, or a sum was loaned him gratis for a limited period (*N.R.Q.S.R.* v, 107).

<sup>6</sup> 7 Jac. I, c. 4.

<sup>7</sup> *Som. Q.S.R.* ii, 66.

was general. The Pickering House hoped to offer the occupants a choice of spinning, wool-combing, knitting stockings, and weaving serges of the best sort<sup>1</sup>; in Nottinghamshire there was spinning of woollen and linen yarn, weaving haircloth and sacking, and for the unskilled, beating hemp. As a variation, those who gave their *parole* to return at night, were permitted to go out to work in harvest<sup>2</sup>. So far as it is possible to ascertain, there seems to have been little or no idea of gaining a market by employing cheap labour. In the North Riding the standard rates of wages as assessed by the justices were to be given<sup>3</sup>; it was intended that a man should be able to earn sufficient to support his family, the surplus above what was necessary for his keep was to be paid to the overseers for that purpose<sup>4</sup>. Consequently, the master felt aggrieved if an infirm person arrived; if he needed medical comforts, relatives or his parish might be ordered to supply them<sup>5</sup>.

### *County Bridges*

While all counties incurred expenditure on Houses of Correction, the rates imposed for the repair of bridges varied considerably with the lie of the land from shire to shire. In the seventeenth century they were particularly liable to damage from violent floods, and from overloading where local products were weighty, as well as from neglect<sup>6</sup>. When action was necessary, it must needs be prompt, hence justices were required in their sessions to inquire of decayed bridges<sup>7</sup>, and to fix liability for repair. Upon investigation, it might be found that custom placed the responsibility upon the occupiers of a particular piece of land, or a parish, or a group of parishes, or a hundred<sup>8</sup>. But a good parishioner never

<sup>1</sup> *N.R.Q.S.R.* v, 107. When a grandiose scheme was in contemplation the master was ordered to keep a workman (*Ibid.* vi, 25 and 262).

<sup>2</sup> *Notts C.R.*, 29-30. In practice, the work actually performed did not probably amount to much more than spinning and carding (*Hist. MSS Comm, Var. Coll.* i, 93-4).

<sup>3</sup> *N.R.Q.S.R.* v, 107.

<sup>4</sup> *Som. Q.S.R.* iv, 148. The Devon justices made a similar order, after stating that male inmates spent all their earnings upon themselves (Hamilton, 209).

<sup>5</sup> *Som. Q.S.R.* iii, 317. Those not able to work must be supported by the parish or county (*Herts C.R.* v, 215, and *Som. Q.S.R.* i, 223). *Ibid.* iv, 128: If a person was sent as a result of parish action, the parish paid for his maintenance. *Cf. N.R.Q.S.R.* v, 107: The master to employ all such as were sent him between the ages of seven and sixty, "and not decrepitt".

<sup>6</sup> *N.R.Q.S.R.* iii, 52: Damage from coal carts. *Ibid.* iii, 342: Damage by millstones. The "late unhappy differences" were responsible too (*Ibid.* vi, 95).

<sup>7</sup> 22 Hen. VIII, c. 5.

<sup>8</sup> *N.R.Q.S.R.* iii, 136: The occupiers of a close called Brigg Flatt have time out of mind repaired the bridge at their own charge. *Cf. Herts C.R.* v, 1. *N.R.Q.S.R.* iii, 144: Langton bridge ought to be repaired by the inhabitants. *Ibid.* ii, 175: Inhabitants of Bedale and Burmeston have time out of mind repaired Fleake Bridge. *West R.S.R.* ii, 200: Mirfield Bridge repaired at the charge of the wapentake.

willingly assisted at these inquiries: of those who might be too candid it was demanded, "Why do you trouble yourself? It is a small charge for the county, but it will be heavy on us"<sup>1</sup>. For a parish to find £60 was no light matter, even though the county were willing to share half the burden; that generosity was too liable to be qualified with "for this time only"<sup>2</sup>.

Most bridges were repaired at the charges of the county<sup>3</sup>, but the justices did not hurry into an acceptance of the burden. Unless a bridge were by common fame chargeable on the shire, search was made in the "Book of Bridges" to find some precedent for saddling the rate-payers at large<sup>4</sup>. Should none be discovered, resort was made to "records extant which wold discharge the Country", since meddling with a bridge implied an admission of responsibility: for the sake of saving a little trouble it was not "fitting to charge the Country with such impositions as cannot be revoked at pleasure, but will bind the country ever after"<sup>5</sup>. Hence the North Riding justices formulated a rule that no bridge recently made, should be renovated by the shire, unless it were a "great bridge", or except record proved the county to have repaired for forty years<sup>6</sup>.

When reparation was decided upon, certain justices were requested to examine the structure, and with the assistance of workmen, to prepare an estimate of the cost<sup>7</sup>. At least four justices, one being of the quorum, were required to meet the constables of every parish in the county, and with their consent, levy a rate<sup>8</sup>: but Quarter Sessions records suggest that the assessment was made in the ordinary course of business<sup>9</sup>. To gather it, two collectors were chosen, and in the customary seventeenth century manner, the surplus of other county rates was impounded, which the justices at times were forced to admit "ought not to have been done"<sup>10</sup>. They were required to appoint two surveyors who engaged

<sup>1</sup> *Som. Q.S.R.* iv, 196.

<sup>2</sup> *N.R.Q.S.R.* vii, 59, and vi, 95.

<sup>3</sup> By sec. 9 of the statute reparations could include a renewal of the road 300 feet on either side of the bridge.

<sup>4</sup> An inquisition might reveal a complicated situation. Exbridge, on the Somerset-Devon border, was repaired as to stone-work by the county, and as to its timber, by the holders of sixteen parts of certain lands (*Som. Q.S.R.* iv, 66).

<sup>5</sup> *N.R.Q.S.R.* i, 167-8: In the mean time the bridge in controversy might "for want of present repair [be] very dangerous to pass and likely to fall".

<sup>6</sup> *Ibid.* iii, 28 (1590). The same rule was recorded in 1676. This Riding was responsible for 79 bridges (vi, 262-3). For its heavy charges, see ii, 298-9.

<sup>7</sup> *Hist. MSS Comm, Seventh Rep.*, 699.

<sup>8</sup> 22 Hen. VIII, c. 5, sec. 4.

<sup>9</sup> It was usually at this juncture that decisions were made as to whether a wooden bridge should be replaced by a stone one (*N.R.Q.S.R.* ii, 178. *West R.Q.S.* ii, 200).

<sup>10</sup> *N.R.Q.S.R.* i, 172: £30 allowed from the surplusage of Hospital Money towards the cost of a bridge. See *Ibid.* ii, 47.

the masons, organized the work contemplated, inspected it when completed, and certified their satisfaction before the bills were met<sup>1</sup>. After their settlement, collectors and surveyors made out an account of their receipts and disbursements, which was audited by a justice as directed by the Bench<sup>2</sup>. But this was not necessarily the end of the transaction, for there might be the melancholy report of a "cracke . . . within . . . the . . . mayne pillar side of the common bridge . . . of late newlye erected at the great charge of the countrie", and so the whole business began over again<sup>3</sup>.

### *Highway Repair*

Maintenance of roads leading to a market, which were used by travellers, which communicated with great through routes, and were common ways, was the concern of the parish<sup>4</sup>. Moreover, they were the King's highways, for he "at all times hath therein passage for himself and all his people; and may punish all nuisances therein"<sup>5</sup>. During the sixteenth century, the growth of trade and commerce, the increase of wealth, and the development of rural estates were accompanied by much trafficking to and fro. Those responsible for government in the latter half of the century were aware that anything approaching a national system of communication could not be maintained by a parochial interpretation of common law or custom. If roads were to be kept satisfactorily, there must be uniformity, an outlining of responsibility, and provision for the direction and supervision of repair. Men possessing some administrative ability saw a problem and grappled with it. The dissolution of the monasteries, and the progress of inclosures were hardly even contributory causes to our early highway legislation<sup>6</sup>.

In the seventeenth century, the absence of a foundation or a prepared surface was responsible for the rapid deterioration of roads subjected to strain. Digging pits by the side of a way for sand, chalk, or similar commodities soon resulted in subsidence and a "great precipice"<sup>7</sup>: the road itself was held by the lazy ones

<sup>1</sup> *N.R.Q.S.R.* vi, 126; vii, 220. In 1691 the N. Riding appointed a salaried surveyor with a stipend of £12 a year (*Ibid.* vii, 119). Work was not usually started until the individual undertaking it gave bond for its satisfactory conclusion (*N.R.Q.S.R.* ii, 105).

<sup>2</sup> Sec. 9. See *N.R.Q.S.R.* ii, 178.

<sup>3</sup> *N.R.Q.S.R.* iii, 312 and 329; iv, 14.

<sup>4</sup> Ventris, *Reports*, i, 189. Roads which led to a house, or a church, or a village, or to the fields, were private ways.

<sup>5</sup> Dalton, *C.J.* 77. The freehold belonged to the lord of the soil, or the lord of the manor (p. 76).

<sup>6</sup> For a picture of a fifteenth century thoroughfare, see *Hist. MSS Comm 4th Report*, 431-2.

<sup>7</sup> *Herts C.R.* i, 369. Cf. 243-4.

as a good place from which to obtain soil<sup>1</sup>. But the complaints most commonly heard deal with the trouble consequent upon heavy loads: with the mighty decays "by reason of y<sup>e</sup> many carriages of coale, leade, and milne stones passing that way"<sup>2</sup>, or from the carting of iron ore (39 Eliz., c. 19), or because of heavy through traffic<sup>3</sup>, or as a result of the iniquities of carriers, such as he who spoiled Lobbe Lane by driving a wagon "*cum quatuor rotis & cum inusitato numero equorum, viz., with twelve horses*"<sup>4</sup>. As a result, the highways were too often "very much torne, plowed and digged up"<sup>5</sup>. Water was another enemy. Roads adjacent to rivers were liable to be overwhelmed<sup>6</sup>, dirty ditches were apt to overflow and produced a muddy road and then a foundeours way<sup>7</sup>, while "a greate store of raine" gave trouble: the highways, by reason of "wet weather . . . [were] not so well"<sup>8</sup>.

The liability for keeping a road in repair might rest in an individual by reason of tenure, particularly if he "will enclose any part of a way or waste adjoyning, he thereby takes upon him to repair that which was so enclosed"<sup>9</sup>, or by prescription<sup>10</sup>, or in special cases by using the road<sup>11</sup>. But usually, *de communi jure*, it rested with the parish, the unit for road repair in Stuart England. The officers responsible for organizing repair were the surveyors or supervisors, two of whom were appointed at a parish meeting convened by the constable and churchwardens in Easter week<sup>12</sup>, and they were concerned with public roads only<sup>13</sup>. The work done, those performing it, and the carts used, were under the control of the surveyors<sup>14</sup> for the six days between Easter and the Nativity

<sup>1</sup> *Som. Q.S.R.* ii, 118-9.

<sup>2</sup> *Cox, op. cit.* ii, 227. *Som. Q.S.R.* ii, 203.

<sup>3</sup> *Herls C.R.* v, 161-2.

<sup>4</sup> March, *Reports, or, New Cases*, 131. The Oxford to London carrier. He carried a weight of 5000 pounds. "By the custome of England, no carrier or other person ought to carry above two thousand weight, and that with a wagon, having but two wheelcs, and but for horses" (*Ibid.*).

<sup>5</sup> *Midd. C.R.* iii, 196.

<sup>6</sup> *Som. Q.S.R.* ii, 114.

<sup>7</sup> *Herls C.R.* v, 407. *Worc. Q.S.R.* i, 528.

<sup>8</sup> *Worc. Q.S.R.* i, 567. Roads were "in repair according to the time of year" (*Ibid.*).

<sup>9</sup> *Style's Reports*, 364. Cf. Dalton, *C.J.*, 76, quoting Sir James Ley at the Cambridge Lent Assizes, 1622.

<sup>10</sup> *N.R.Q.S.R.* vi, 152: Occupiers of certain lands by ancient custom, ought to repair a highway.

<sup>11</sup> 39 Eliz., c. 19: Occupiers of iron mines in the Wealds of Kent, Surrey or Sussex, were to pay three shillings, for every three loads of coal or mine, or for every ton of iron carried. See 15 Car. II, c. 1: An act for repairing the highways within the counties of Hertford, Cambridge, and Huntingdon. Cont. by 16-17 Car. II, c. 10.

<sup>12</sup> 2-3 P. & M., c. 8. By 22 Car. II, c. 12, sec. 12, in Christmas week. 3 W. & M. c. 12, sec. 3, ordered the parishioners on 26 December to prepare a list of individuals suitable for the office, when two justices selected one or more to serve. In 1679, a Pounton gentleman was surveyor, while a weaver represented Barrowby (*infra*, p. 104).

<sup>13</sup> Sheppard's *Offices*, part ii, 51.

<sup>14</sup> 2-3. P. & M., c. 8, sec. 1.

of St John the Baptist demanded by the statute<sup>1</sup>. During these days all householders, labourers, and cottagers worked on the roads or forfeited twelve pence; for every ploughland in tillage or pasture, or for every draught which an individual possessed, he furnished a cart and beasts and two men on pain of forfeiting ten shillings. All had to bring shovels and picks, and work eight hours a day<sup>2</sup>. One unit of assessment caused trouble, "some ambiguitie hath hitherto bin what a ploughland is." Somersetshire justices conceived it to be thirty acres<sup>3</sup>, Coke held it to be the area which kept a plough occupied for a year, and hence varied with the soil<sup>4</sup>; by 7 & 8 W. III, c. 29, it was defined as land to the value of £50 a year<sup>5</sup>. After the expenditure of the statutory time, should a satisfactory result still be unobtained, the surveyors had the unpleasant task of appointing further days<sup>6</sup>, another six might be requisitioned, and still the standard be short<sup>7</sup>. Sometimes those who owned carts were ordered to collect so many loads of stones and lay them where directed<sup>8</sup>, or the parishioners might hire labour from adjoining villages. "It hath cost our parish a great deal of money beside all our own labour and what is amiss we shall God willing mend the next summer"<sup>9</sup>. To ensure a satisfactory repair procedure was standardized in 1662: within twenty days of appointment the surveyors were to inspect their ways and water-courses, calculate the cost of repair if they thought the six days insufficient, and, with the help of two householders, and the sanction of a justice, to levy a rate for the hire of labourers<sup>10</sup>.

In theory, the work was to effect a "thorow reformation", the roads must be "smothed from little rocks, little hills, hollowes,

<sup>1</sup> 5 Eliz., c. 13, sec. 7. The days were appointed by the constables and churchwardens. Originally, by 2-3 P. & M. there were only four days. 22 Car. II, c. 12, sec. 12, directs the surveyor to appoint the days, which were known by the rustics as "common day works" (*N.R.Q.S.R.* ii, 32) or boon days (*infra*, p. 100). The surveyors appear to have assumed that their responsibility was at an end when the statutory labour was finished: "He had done for the year and would meddle no further" (*Worc. Q.S.R.* i, 521).

<sup>2</sup> 2-3. P. & M., c. 8, sec. 2. By 22 Car. II, c. 12, sec. 9, the 12*d.* forfeiture was raised to 18*d.* per day for the labourer, 3*s.* for the default of man and horse, 10*s.* for the default of a cart and two men.

<sup>3</sup> *Som. Q.S.R.* ii, 53.

<sup>4</sup> Dalton, *C.J.*, 78-9.

<sup>5</sup> Nelson's *Office*, 326, notes formerly 100 acres, but now 80 acres.

<sup>6</sup> Dalton, *C.J.*, 76-77.

<sup>7</sup> *Herts C.R.* v, 200. Also pp. 41 and 111. In the last case, justices were appointed to see the work done, and report absentees. When a long, narrow parish was traversed by a road, or the population was scanty, the justices sometimes ordered other parishes to help (*Herts*, v. 36).

<sup>8</sup> *Som. Q.S.R.* iii, 36.

<sup>9</sup> *Worc. Q.S.R.*, 568 and 571.

<sup>10</sup> 13-14 Car. II, c. 6, sec. 3. In force for three years only. 22 Car. II, c. 12, sec. 10: Justices assess and appoint collectors, and direct the expenditure. Cf. 3 W. & M., c. 12, sec. 17.

slodds, and all unevenness, freed from boggie, sincking, soft, deepe or foundeours places, rid of all sorts of rubbish"<sup>1</sup>. Wheels wore the ground into ruts which tended to become deeper as the next six days became nearer, when the "deepe cart ruttes were . . . digged downe and levelled" and stones brought for the purpose spread<sup>2</sup>. The collection of suitable road material was apt to be a problem. Surveyors might, without asking leave, take the broken debris lying in a quarry should one exist in the parish, or dig for gravel in ground near the highway, or pick stones off of any land within their precincts<sup>3</sup>. In some parishes it was the work of cottagers to collect stones during the time of statute labour<sup>4</sup>, in others it appears to have been customary for all inhabitants to give so much time before boon days commenced, that convenient heaps of material might be accumulated<sup>5</sup>. Hence custom, that dangerous economiser of time and effort intruded itself into the day-works. Inhabitants became responsible for a certain part of a highway<sup>6</sup>, those who dwelt in a particular portion of the parish might plead that they did no service in the great highway: they worked in their own private lanes<sup>7</sup>. One parish might repair one side of a road, another the other side<sup>8</sup>. The custom of the country determined the types of carts sent for this statute labour<sup>9</sup>.

Care of the highways was not concerned only with the preparation of the surface; it extended to the correction of nuisances. None might obstruct the passage of travellers by piling wood outside their houses, or by making an encroachment on the way<sup>10</sup>, nor build up muck heaps to offend them "by reason of the noysomness of the smell"<sup>11</sup>. Those who had land adjoining the highway were responsible for scouring the ditches and cutting back hedges and

<sup>1</sup> Hist. MSS Comm., *Kenyon*, 193.

<sup>2</sup> *Herts C.R.* v, 305. And cf. *S.P.D.*, 1661-2, 517: The ruts in many places cannot receive wheels of the breadth of four inches, and if that width be enforced all commerce would be stayed.

<sup>3</sup> 5 Eliz., c. 13. Sec. 4 limits the size of the pits which might be dug, and directs that they be filled in at the cost of the parish. It was forbidden to disturb garden, orchard, or meadow. 13-14 Car. II, c. 6, sec. 7. Under the direction of two justices, surveyors might, if suitable material were absent in their own, take stones from the waste of a neighbouring parish, or (sec. 8) from enclosed ground. 3 W. & M., c. 12, sec. 13: Two justices may make a rate to re-imburse surveyors who had purchased stones.

<sup>4</sup> *Worc. Q.S.R.* i, 579. Cf. *Herts C.R.* i, 376: A woman householder was ordered by the surveyors to gather stones. Cf. p. 375, item 136.

<sup>5</sup> *Herts* i, 157: It was the custom at Ickleford for surveyors to send out for two days every year those inhabitants who worked on the highways, to gather stones for their repair.

<sup>6</sup> *N.R.Q.S.R.* iv, 215 and *Herts* i, 157-8.

<sup>8</sup> *Ibid.* 159.

<sup>9</sup> *Worc. Q.S.R.* i, 559.

<sup>7</sup> *Herts* i, 151.

<sup>10</sup> *Infra*, p. 300

<sup>11</sup> *Worc.* i, 524. Cf. 3 W. & M. c. 12, sec. 4.

overhanging trees or bushes, under a penalty of ten shillings<sup>1</sup>. A ditch discharging over the road was a danger in time of frost<sup>2</sup>, at all seasons the mud it engendered rapidly converted the way into a mire, while trees and bushes prevented the sun and wind getting at the road, for nature was to supplement the activities of man<sup>3</sup>.

To secure obedience to the terms of the statutes, and to protect parish officers from the caprices of negligent or cantankerous inhabitants, surveyors were directed within one month of an offence to present it to the next justice, who was required to certify at the next sessions. Any justice could present a parish at sessions, the presentment having the force of an indictment<sup>4</sup>; and though a parish might traverse, they must show on whom the responsibility should be laid<sup>5</sup>. Were the parish to appeal; King's Bench would do nothing without a previous certificate of repair<sup>6</sup>. Hence the justices dealt sharply with defaults; the parish must repair "within 20 daies upon a paine of £20"<sup>7</sup>; or they issued general directions to the effect that "40s. is to be imposed upon everie rood of highway presented this sessions"<sup>8</sup>; or they proceeded in a determined fashion throughout the shire against parishes or surveyors<sup>9</sup>. In so "publick and so good a work" they did not hesitate to request the co-operation of gentry in each parish to advise and supervise the supervisors<sup>10</sup>. When concentrated efforts were made, they yielded satisfactory results; the roads were "in better order than it hath been formerly to any of our memories", and the improvement was "like to continue for the space of divers years"<sup>11</sup>.

Contemporaries, knowing that a good surface could only with great difficulty be provided, endeavoured to ensure that traffic should do as little injury to it as possible. Hence statutes attempted to fix the width of wheels; they should be at least four inches wide<sup>12</sup>, weights should be limited<sup>13</sup>, and the number of horses

<sup>1</sup> 5 Eliz., c. 13, sec. 7, and 18 Eliz., c. 10, sec. 5. And by sec. 6, the water courses in their ground under a paine of 12s. a rood. By 3 W. & M. c. 12, sec. 6, neglect to amend defaults after ten days notice given, was visited with a forfeiture of 5s.

<sup>2</sup> *Herts C.R.* v, 245.

<sup>3</sup> See 3 W. & M., c. 12, sec. 7. A sample of detailed orders given by justices may be found in Hist. MSS Comm., *Kenyon*, 193-4.

<sup>4</sup> 5 Eliz., c. 13, sec. 9.

<sup>5</sup> *Carthew's Reports*, 213.

<sup>6</sup> *Style's Reports*, 130.

<sup>7</sup> *N.R.Q.S.R.* v, 81.

<sup>8</sup> *N.R.Q.S.R.* v, 106.

<sup>9</sup> *Worc. Q.S.R.* i, 509-14.

<sup>10</sup> Hist. MSS Comm., *Kenyon*, 194.

<sup>11</sup> *Worc.* i, 514-5. Cf. *Herts C.R.* i, 247: The post road from London to York in the county of Hertford is spoken of as being well repaired, though by users who objected to pay toll. Some were ungrateful for improvements: "I wish they was hangd that was the occasion of paveing" (*Midd. C.R.* iv, 286).

<sup>12</sup> 13-14 Car. II, c. 6, sec. 9, repealed by 22 Car. II, c. 12.

<sup>13</sup> 13-14 Car. II, c. 6, sec. 9: 20 cwts from October to May, and 30 cwts the rest of the year. Carts used in husbandry, or carrying hay, straw, unthreshed corn, coal, chalk, timber for shipbuilding, building stones, or ammunition were exempt.

restricted<sup>1</sup>. On the other hand, permission was given for the purchase of land adjoining the old, that should repair be impossible a new length of highway might be constructed<sup>2</sup>.

The continuous references in Quarter Sessions records incline us to the belief that the highways were not neglected in the seventeenth century. Justices and parishioners did on the whole what lay within their power, but from the start they were handicapped. Too often, they lacked good road repairing materials, they experienced great difficulty in raising roads from the hollows in which they ran in many districts, they possessed no mechanical appliances for welding the surface into a sufficiently compact mass to withstand the disintegrating action of frost and rain; and even had these advantages been given them, the correct principles upon which a road should be constructed were most imperfectly understood. Those who have been privileged to witness the results of the operations of amateur road makers possessing time, material, and energy, cannot but regard seventeenth century efforts with sympathy.

### *Poor Relief*

The organization of highway repair was by no means an isolated example of Tudor administrative initiative. Of even greater social significance was the legislation which endeavoured to formulate a policy of poor relief. It is not possible here to discuss the many and complex problems producing the enactments of the sixteenth century: in the Stuart period, apart from the casualties of life which inevitably tended to be accompanied by distress, it is clear that unemployment consequent upon trade depression produced hardship in the cloth-making districts. Here there was to be found a landless proletariat who had "neither houses nor anything else but their hands to relieve them"<sup>3</sup>, with their "whole dependence relying upon the trade of clothing"<sup>4</sup>, and one loom unoccupied might effect twenty persons<sup>5</sup>. Hard times were often accompanied by bad harvests, and dearth produced an increase of poor in all areas<sup>6</sup>. Such calamities are transitory; their ill consequences may in time be alleviated. It is not so easy to explain the unemployment of a Hertfordshire labourer; "they had little for him to do, having so many poore laborious men besides within

<sup>1</sup> 13-14 Car. II, c. 6: Seven beasts, six being in pairs. By 22 Car. II, c. 12: Five horse-beasts in length, but if with a greater number, to draw in pairs.

<sup>2</sup> 13-14 Car. II, c. 6, sec. 3 and 6. See 8-9 Wm. III, c. 16. Cf. *N.R.Q.S.R.* vi, 177, and 149-50; vii, 145-6.

<sup>3</sup> *Som. Q.S.R.* i, 175-6.

<sup>5</sup> *Ibid.*, 94.

<sup>4</sup> *Hist. MSS Comm., Var. Coll.* i, 144.

<sup>6</sup> *Som. Q.S.R.* i, 73. Cox, *op. cit.* ii, 136.

the said parish"<sup>1</sup>. Was there, in some districts, the drag of a redundant population? Was Harrison exaggerating, speaking somewhat earlier "of the grudge shown at the great increase of people in these daies"<sup>2</sup>? A Somersetshire parish had many poor "and more every day likely to be chargeable by means that there are so many children"<sup>3</sup>. In the West Riding a place is spoken of as being very populous and with a great number of poor, the lands belonging to the township being small<sup>4</sup>. Of Grindleton, in the same Riding, it is complained that of late the population has increased "by reason whereof the auncient groundes used . . . are in no sort able . . . to maintaine our said freholders and copieholders whereby much povertie dothe dalie encrease amongst them. . . ."<sup>5</sup>.

Although not sanctioned by statute, begging was permitted to necessitous parishioners within their parish, though not in an haphazard fashion; well regulated villages assigned hours and houses from which relief might be obtained<sup>6</sup>. There must be no craving relief in the highways<sup>7</sup>. Hence, if parishioners withdrew "their charitie which formerly they gave at their doores to . . . a poor man", the overseers had him on their hands<sup>8</sup>. Relief of the poor in the seventeenth century was grounded upon the statute 43 Eliz., c. 2. The parish was the unit selected for the purpose, the churchwardens and overseers were the officers charged with its execution, and they worked under the supervision of the justices. Overseers, as their discretion directed, were to raise, weekly or otherwise, money which was to be applied to the use of the poor, by the taxation of every inhabitant, and occupier of land, houses, tithes, coal mines, and saleable underwoods within the parish<sup>9</sup>. The parish poor to whom attention was directed under this act fall into three classes. There were children whose parents, in the opinion of the overseers and the justices, could not properly maintain them.

<sup>1</sup> *Herts.* i, 174.

<sup>2</sup> *The Description of England*, ed. Furnivall, 215.

<sup>3</sup> *Som. Q.S.R.* i, 300.

<sup>4</sup> *West R.Q.S.* ii, 285.

<sup>5</sup> R. H. Tawney and E. Power, *Tudor Economic Documents* i, 81. Cf. *Ibid.*, 74: Letter from Box to Lord Burghley (1576), "For the people are increased and groundes for plowes dothe wante". But *contra*, *Som. Q.S.R.* i, 49: A labourer is very needful "in respect of the want of laborers within our said parish".

<sup>6</sup> Hist. MSS. Comm., *Lothian*, 78.

<sup>7</sup> Resolution of Judges, 1633, quoted in Sheppard's *Sure Guide*, 224.

<sup>8</sup> *N.R.Q.S.R.* v, 156. Cf. Justice Restored (1660), 77: Pro-forma of a licence to beg. Made by two justices in favour of a poor blind man not able to live without the charity of others, and as the town is charged with more poor than it is able to relieve, he is licensed to beg within the hundred.

<sup>9</sup> Justices might not refuse their signature to a rate, or amend it, without reasonable cause (Kemble's *Reports* iii, 594).

They were to be set to work<sup>1</sup>, most probably on spinning, or with the consent of two justices, bound apprentice (sec. 5). Able-bodied adult poor lacking work were to be found, where possible, situations such as the overseers considered suitable<sup>2</sup>, or they might set a man up in his trade. Such arrangements, excellent in theory, could be thankless duties in practice. Unemployed were often unemployable. The inhabitants of Crowle in Worcestershire, having put a man in a house to work as their smith, discovered he spent his days either in bed or at the ale-house. "The parish find they have to do with as crafty a knave as ever they met with"<sup>3</sup>. For poor persons who for want of work wandered abroad, "and have not wherewith to keep themselves employed in labour"<sup>4</sup>, every parish was to raise a stock for the purpose of providing materials such as flax, wool, thread, or iron, to employ them<sup>5</sup>. It was by way of being a special fund kept to a certain level, and supposed not to be used for the relief of the impotent and aged<sup>6</sup>. These drew from the general rate, provided that neither children nor grandchildren were able to support them, or *vice versa* (sec. 7). Should they lack house room, churchwardens and overseers were permitted to build cottages on the waste, if the lord of the manor gave leave, and Quarter Sessions approved (sec. 5).

Such was the intention of the State. How was the law regarded by ratepayers? Entries suggest that local administration might be tainted with harshness. Parishioners were inclined to be obsessed with the idea that many of the poorer class were likely to be chargeable and they endeavoured to hustle them out of the parish<sup>7</sup>. Thinking always of their pockets had the disadvantage to the poor of producing low rates of relief<sup>8</sup>. Overseers threatened,

<sup>1</sup> See *Som. Q.S.R.* ii, 37: The master of the Taunton House of Correction was to keep the poor children of Taunton and the hundred adjoining on work. Cf. Leonard, *English Poor Relief*, 313.

<sup>2</sup> *Infra*, p. 9; Margery Baxter to be found with work by the overseers of Haceby. Cf. p. 417, and *Herts C.R.* v, 409: "A woman to be set to work to maintain herself and her three boys."

<sup>3</sup> *Worcs Q.S.R.* i, 210-11.

<sup>4</sup> *N.R.Q.S.R.* vi, 247.

<sup>5</sup> The inhabitants of Pichhall presented for neglecting to prepare a stock for the poor (*N.R.Q.S.R.* vi, 112). The purpose of the stock was "to the end materials may be bought . . . as are fitt to set them [i.e., unemployed poor] on work, and that the same may be employed to the best benefit of the parish" (*Ibid.* v, 52).

<sup>6</sup> *N.R.Q.S.R.* v, 190: Kirkbymoorside raised a stock of £27 from which the poor were relieved in the late troubles. Ordered to make an assessment for raising the former stock. At Thirsk it amounted to £150, and was kept by others than the overseers (*Ibid.* v, 52). References suggest that the parishes gradually dropped their stock in the latter half of the seventeenth century (see *Ibid.* vi, 247-8).

<sup>7</sup> *Som. Q.S.R.* i, 336-7: A man with a wife and family became impotent. The inhabitants thrust them out of their house and suffered them to dwell under a hedge.

<sup>8</sup> *Ibid.*, 135: A man allowed 2*d.* a week, was forced to visit friends for his better relief

were "abusive . . . starving of the poor people"<sup>1</sup>, or were dilatory, saying they "will doe much . . . but never performe anything"<sup>2</sup>. To condemn a whole class on *ex parte* statements would be absurd, but busy, or slow, or procrastinating, or choleric men, are not readily sympathetic. Overseers did not serve from love of office, or by virtue of any special fitness: it was simply a question of propinquity. So they developed "a custom of taxing the parish, and neglect their duty in the most material things relating to their poor"<sup>3</sup>, leaving difficult or troublesome cases to settle themselves at sessions. If the Court held requests reasonable, they were acceded to accordingly<sup>4</sup>. Hence "divers complaints by many poor people are daily brought to us [the justices] . . . of . . . negligence of . . . the overseers of the poor . . . leaving everything to the care and activity of the Justices of the Peace and doing nothing themselves"<sup>5</sup>. Thus the proceedings of Quarter Sessions contain from time to time orders of all descriptions to the overseers to provide relief, or accommodation, or to repair or build a dwelling, or to look after a family. And there existed many who disliked or criticized the decisions of the magistrates, affirming an applicant for relief was a lusty young man, able to work and brought up to husbandry, or that work had been offered and refused, or that the Court was too "easy granting orders for the relief of the poor"<sup>6</sup>. Again, there were those who recommended relief in kind: "it is better to provide for them . . . with such things as they want, then to give them money weekly"<sup>7</sup>. The Derbyshire justices would not tolerate such a system, so liable to abuse, whereby overseers supplying the poor with bread or victuals could make a gain for themselves<sup>8</sup>. Money was given almost exclusively, but from the bare figures it is dangerous to pass judgment as to its adequacy for the support of the recipients, in the absence of those details which governed the order<sup>9</sup>. An instructive case comes from

<sup>1</sup> *Ibid* i, 204 Hist. MSS Comm., *Var. Coll.* i, 116.

<sup>2</sup> Cox, *op. cit.* ii, 162.

<sup>3</sup> Nelson, 460.

<sup>4</sup> *Som. Q.S.R.* iii, 138.

<sup>5</sup> *Notts C.R.*, 120.

<sup>6</sup> *Herts C.R.* i, 370. *N.R.Q.S.R.* vi, 260-1; vii, 51. The last objector was a clergyman. Cf. Ventris, *Reports*, 69: The orders of the justices for the maintenance of a poor woman confirmed, though it appears she was able to work, for the justices of peace are judges of that. *Infra*, p. 465: The overseers of Sleaford are ordered to provide a house for Cornelius Sharpe, and his family. He had previously been in trouble for poaching (p. 410).

<sup>7</sup> Keble's *Reports* i, 440.

<sup>8</sup> Cox, *op. cit.* ii, 167.

<sup>9</sup> See *N.R.Q.S.R.* vi, 249-50: A poor lame creature received 6*d.* a week. A widow with three small children, 9*d.* a week, and another with seven children, 18*d.* (1676). Cf. Cox ii, 165, Easter Sessions, 1683: One person granted 1*d.* a day in bread; 6 persons to have 6*d.* a week, one 9*d.*, seven 12*d.*, one 18*d.*, three 2*s.*, one 2*s.* 6*d.*, one 3*s.*

Derbyshire. A woman had received one shilling a week for several years, but was willing to compound for 9*d.* weekly. Her charges being less than formerly, "the neighbours thought 6*d.* a week a sufficient allowance", and certified that the family consisted of four persons only, of whom three were in constant work<sup>1</sup>. It is obvious that in 1675, three shillings a week were considered ample for the support of a couple past work<sup>2</sup>. But one qualification for relief was essential; those who failed to repair every Sunday to the parish church jeopardized their allowance<sup>3</sup>.

### *Cottages*

One section of the Poor Law which was of intense interest to administrator and ratepayer alike, pertained to the erection of cottages<sup>4</sup>. All cottages were to be built with four acres of freehold ground assigned and continually enjoyed with the tenement, save those erected for seamen, workers in quarries or mines, and in brick, tile and lime works<sup>5</sup>. Cottages built on the waste for "poor impotent people" were exempt from the penalties appointed for an infringement of the statute; so too were houses belonging to the poor, provided the justices in Quarter Sessions could be induced to grant permission for them to stand<sup>6</sup>. Orders of Sessions thus contain licences for the erection of habitations without four acres of land, granted on the petition of individuals or the parish authorities<sup>7</sup>, the subject of the petition occasionally being carefully specified as the son of an inhabitant, or the common pinder, the common herdsman, or the village blacksmith<sup>8</sup>. Individuals approaching the Bench prayed for exemption on various grounds. Would three acres be sufficient? or two acres of freehold and two of copyhold? or would land held for lives count<sup>9</sup>? Would the Court grant favour to a "towne borne childe"<sup>10</sup>? The permission was not without conditions; the cottage might stand for the life of its occupant only, or for a term of years, or it must conform to specified

<sup>1</sup> Cox, *op. cit.* ii, 162.

<sup>2</sup> *Herts C.R.* i, 258.

<sup>3</sup> Hamilton, *op. cit.*, 185.

<sup>4</sup> *Casa rustica ex leviori materia excitata, arundine aut ulva palustri tecta* (Dalton, *C.J.*, 76).

<sup>5</sup> 31 Eliz., c. 7. The statute did not apply to towns.

<sup>6</sup> Sec. 5.

<sup>7</sup> See Hist. MSS Comm., *Var. Coll.* i, 66: Petitions to erect without four acres were usually signed by the lord of the manor and recommended by the minister and parishioners, and seem to have been always granted.

<sup>8</sup> *Som. Q.S.R.* i, 61. *Notts C.R.*, 125-6. Common herdsmen and the like were exempt under sec. 5.

<sup>9</sup> *Herts C.R.* v, 422 and 161, and *Som. Q.S.R.* i, 74. Four acres of copyhold were held, strictly, not to satisfy the statute (Keble's *Reports*, ii, 606).

<sup>10</sup> *Som. Q.S.R.* i, 41.

dimensions<sup>1</sup>. Only a portion of the habitations put up were allowed in this regular way : the builders often trusted to luck and ran the risk of an indictment, knowing they might "lamentably entreat" the justices should the sequel prove unfortunate. So magistrates might fine for a breach of the statute, yet let the place stand "on regard to his poverty and charge of children", or because of its expediency<sup>2</sup>, or for the life of the defendant. But equally likely, demolition was curtly ordered<sup>3</sup>. Lest outcry be made against the ruthless destruction of picturesque dwellings, it is necessary to premise that these structures were essentially portable affairs, erected on wooden frames<sup>4</sup>, occupying but small space, and costing little<sup>5</sup>. Sometimes without chimneys, the wattled walls daubed over with mortar, they were often mean abodes, "little better than a pigs coat"<sup>6</sup>. The culprit was not necessarily he who lived in the cottage. An unwanted kitchen or barn could be converted into a habitation, or superfluous houses might be divided into tenements<sup>7</sup>. Enterprising individuals put up a row of dwellings, "six separate houses for the habitation of poor people", or split three-quarters of an acre of corn field into eight building plots<sup>8</sup>. The speculating builder is not a modern evil.

Whatever the motive for these activities, they were regarded with disfavour by inhabitants of the parish at large. Unrestricted cottage-building subjected them to "divers wrongs"; poor people were attracted "from other places to dwell in the town"<sup>9</sup>; many of them were idle<sup>10</sup>; or were poor; of "lewd disposition which do annoy the inhabitants by tearing and spoiling of men's hedges"<sup>11</sup>, or they committed much waste in the woods and other inheritances of their neighbours<sup>12</sup>. That is, as a class they were reputed to be men who worked when they felt in the mood, and poached and pilfered as opportunities arose: they anticipate the unsatisfactory

<sup>1</sup> *Northamptonshire Q.S.R.*, 96. Cox, *op. cit.* ii, 176: Twelve feet high upon the side walls, and to contain two chambers floored, fit for lodgings.

<sup>2</sup> *Herts C.R.* v, 473-4. *Som. Q.S.R.* i, 152.

<sup>3</sup> *Herts C.R.* v, 413 and i, 347.

<sup>4</sup> *Worc. Q.S.R.* i, 52: A house bed and frame, being the timber of a poor man. *Herts C.R.* v, 387: A petition to set up a frame for a cottage. *Worc.* i, 337: A woman hoping to set up a cottage, caused a frame to be made, which she now has. *Herts* i, 257-8. A man purchased a cottage, and for his convenience, removed and built it on his freehold.

<sup>5</sup> *Som. Q.S.R.* i, 23: A plot 20 by 12 feet bought to place a cottage on. *N.R.Q.S.R.* v, 165: A woman granted 20s. to enable her to build a house. *Ibid.* iii, 154: 56s. 8d. disbursed for "erecting a house for a poor man". *Herts* i, 271: A new cottage purchased for £11. 6. 0.

<sup>6</sup> *Som.* i, 128: *Verney Memoirs* ii, 308: *Worc.* i, 596.

<sup>7</sup> *Herts* v, 24-25.

<sup>8</sup> *Herts* v, 7. *Som.* i, 267.

<sup>10</sup> *N.R.Q.S.R.* ii, 53.

<sup>11</sup> *Som.* i, 35, 125 and 331.

<sup>9</sup> *Som.* ii, 140-1.

<sup>12</sup> *Notts C.R.*, 126.

squatter of Arthur Young. When times were bad, deserving and undeserving had no resource but the poor rates, "whereby an unsupportable charge is laid on the parishioners"<sup>1</sup>. Hence the motive of 31 Eliz., c. 7. It conferred a title of respectability on new comers, it provided an ancillary means of support which a man could develop as much as his means, his industry, and the nature of the soil permitted; it safeguarded the rates<sup>2</sup>. Its enforcement by the justices was "a work of as great a concernment as any we know", and neglect was held to cause the county to abound with poor<sup>3</sup>, for some magistrates were too soft hearted. Parishioners therefore were given to taking the law into their own hands. "Whereas William Lane has petitioned that he was born and hath always dwelt in Rodney Stoke, but being a man of small ability was never able to buy him a house of his own but has always dwelt in hired houses which now he can no longer obtain for his money, as all the houses in the manor are sold; whereupon he is enforced to buy a small plot of ground to build upon, which he hath procured of one of the lords of the manor; but in respect he is not able to buy four acres of land to lay thereto . . . the inhabitants will not suffer him to build, neither let him a house for his money"<sup>4</sup>. If such houses were erected, they were promptly pulled down<sup>5</sup>.

An immediate consequence of this attitude was the chronic shortage of suitable dwellings experienced by the poor<sup>6</sup>. As it was difficult for them to hire houses<sup>7</sup>, families were ordered to share cottages, which caused friction about the use of the fire, and made any sort of privacy difficult<sup>8</sup>. To some it meant an existence in outbuildings<sup>9</sup>. Further, a pursuance of the policy was characterized by an intense vigilance on the part of parish officers. Ruined shacks on the waste, barns and haylofts, were watched lest "thrusters

<sup>1</sup> Hist. MSS Comm., *Var. Coll.* i, 95; see *Som. Q.S.R.* ii, 140-1.

<sup>2</sup> A man was to be supported by the product of his own labour and his four acres. Compare with the Speenhamland decision, 1795: Every poor and industrious man's support to be from "his own labour, or an allowance from the poor rates". In support of this interpretation of the statute, see Hist. MSS Comm., *Lothian*, 78. Gardening was to be encouraged amongst the poor "and that the pore that doth worke in his owne gardinge to have 2*d.* a daye in weeke that he so worketh: so that it maye appeare to the overseers that their groweth good to the partie and commeweal thereby" (*circa* Jac. 1).

<sup>3</sup> Hist. MSS Comm., *Var. Coll.* i, 323-4.

<sup>4</sup> *Somerset Q.S.R.* i, 125. This case shows clearly the attitude of parishioners to the 4 acres. Cf. *Shrop. Q.S.O.* i, 114: A man and his wife having come to W. without giving notice to the parish officers, and without taking four acres of land, are not settled there (1686).

<sup>5</sup> Cox ii, 176. *N.R.Q.S.R.* ii, 253.

<sup>6</sup> *Herts C.R.* i, 347 and 356.

<sup>7</sup> *Som.* iv, 115-6.

<sup>8</sup> *Worc. Q.S.R.* i, 247. *Som.* i, 128.

<sup>9</sup> *Worc.* i, 117.

in" should gain a footing in the parish<sup>1</sup>. So too, sickly folk were not permitted to become householders<sup>2</sup>, the ability of new comers was estimated that those who fell short might be cold shouldered out of the place<sup>3</sup>. They presented those infringing bye-laws forbidding the taking of inmates other than those ordered by the overseers and justices<sup>4</sup>. But other means still existed by which the poor rates might be safeguarded. Landlords were required to give bond to secure the parish should their tenants come on the rates; or, they were heavily assessed "for the avoiding" of their tenants out of the town<sup>5</sup>. The magistrates, provided the unfortunate was respectable, disliked such practices. They endeavoured "to use some charitable persuasion with the said parishioners that the said cottage may continue . . ."<sup>6</sup>. They forbade the damnifying of a man by pain or otherwise, for letting a house to another; it was unjust and not according to law<sup>7</sup>. Particularly hard appears to have been the lot of the non-native labourer who wished to marry. Single, he could obtain employment, but to take a wife on the strength of it probably meant the wreckage of future hopes: the bridegroom was warned to leave the parish, even though the bride were a village girl<sup>8</sup>. The villein had had a *sequela*: the seventeenth century labourer "bred a charge"<sup>9</sup>. Little sympathy was meted out to "foreigners" in need of assistance; a stranger born was a stranger ever, even though he be the parson<sup>10</sup>; the recollection of twenty-two years service as their smith did not soften the hearts of rate-payers: long useful residence was to a villager, no qualification for granting poor relief<sup>11</sup>.

### *Settlement*

The parish in which an individual was entitled to claim relief, and from which he might not legally be removed, was spoken of as his place of settlement, and overseers knew one type of settlement only: that acquired by birth, of which the parish registers testified<sup>12</sup>.

<sup>1</sup> Cox ii, 146. Som. iii, 246.

<sup>2</sup> Som. iii, 101.

<sup>3</sup> Som. i, 180-1.

<sup>4</sup> The taking of lodgers was prohibited by 31 Eliz., c. 7, sec. 6, consequently they were good bye-laws. Cf. Hardres, *Reports*, 471.

<sup>5</sup> *Worc. Q.S.R.* i, 364. Som. *Q.S.R.* i, 335.

<sup>6</sup> Som. ii, 197.

<sup>7</sup> *Ibid.* i, 136 and ii, 19.

<sup>8</sup> *Ibid.* ii, 139, 179, 290-1. Hist. MSS Comm., *Var. Coll.* i, 124.

<sup>9</sup> *Worc.* i, 267. If this attitude be not dictated by the most narrow parochialism, it implies that the ultimate support of many humble villagers was from the poor-rate.

<sup>10</sup> Som. i, 117.

<sup>11</sup> *Ibid.* ii, 151.

<sup>12</sup> *Herts C.R.* v, 210. *N.R.Q.S.R.* iv, 174. But cf. Som. i, 4-5: A man was never taken as a parishioner, by taking the communion or performing any other duty. Even the record of a thirteen year old presentment in an ecclesiastical court had its uses (Som. i, 198).

A second principle formulated by overseers was, that no individual should be recognized as a parishioner or given relief, about whom any doubt existed, and as it was easy to raise doubts, poor people were "much sent and tossed up and down from town to town"<sup>1</sup>, which caused appeals by contending parishes at Quarter Sessions. In the first half of the seventeenth century, judges looked askance at this extension of the justices' duties; they were ordered not to meddle with the removing or settling of the poor; only of rogues<sup>2</sup>. "If a man or woman having house or habitation in one parish be thrust out, this is an illegal unsettling . . . for none must be enforced to turn vagrant"<sup>3</sup>. Similarly, those whose lease in a house had expired, or a servant whose term was ended, might not be put out of the town<sup>4</sup>. The poor were not to suffer: the parish must ease itself by taxing the parishioner responsible for introducing them, "according to the damage he bringeth to the parish by his folly"<sup>5</sup>. So the practice gradually grew of allowing one month for the overseer to object to a stranger, after which period a settlement could be claimed<sup>6</sup>; and of prohibiting the removal of a hired servant incapacitated by sickness<sup>7</sup>. If the justices thought fit, the party objected against might be compelled to give bond not to charge the parish. Questions of settlement then, were largely "left to the discretion of the Justices, according to the circumstances of the case"<sup>8</sup>, which worked well enough provided parishes in other counties were not involved. Otherwise trouble followed<sup>9</sup>.

Difficulties experienced owing to the absence of legislation defining settlement produced in 1662 an enactment which permitted two justices, including one of the quorum, on the complaint of

<sup>1</sup> Dalton, *C.J.*, 111.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Resol. of the Judges*, 1633, Dalton, 118. Cf. *Hist. MSS Comm.*, *Lothian*, 77.

<sup>4</sup> Dalton, 111. Only a vagrant could be sent to the place of his birth or last habitation (*Lothian* 76). Cf. *Northants Q.S.R.*, 94: A man settled two years in a parish was sent to another, the place of his birth. Quarter Sessions declared this to be altogether illegal, he being no rogue. Also *N.R.Q.S.R.* iii, 158.

<sup>5</sup> Dalton, 109 and 119. Cf. *Herts C.R.* v, 37-8. R. Lane, *Reports in the Exchequer*, 55-56, Snig and Altham barons: it is good policy to make an order with a pain in a leet, that no person shall receive any such tenant as shall be chargeable to the parish.

<sup>6</sup> *Notts C.R.*, 117 (1682): "It is agreed . . . by this Court that a months settlement (without disturbance) shall be counted a perfect settlement as heretofore it was taken before the statute in that case was made. Cf. *Som. Q.S.R.* iii, 155, and Dalton, *C.J.*, 118. But note *Som.* i, 192: Where a man, his wife and children be lawfully settled for one year, and the husband die, there the wife and children to be lawfully settled.

<sup>7</sup> *Som.* ii, 175-6. See *Style's Reports*, 168.

<sup>8</sup> *Shephard's Sure Guide*, 242.

<sup>9</sup> *Som.* iii, 148-9. Cf. *Carthew's Reports*, 287-8: Two justices of a foreign county could not, by order, send a poor man back to the place from whence he came, for that would make an interfering of jurisdiction.

the parish officers, if made within forty days of a person's coming to the parish, to remove him to his place of settlement were he likely to be chargeable<sup>1</sup>. Besides birth, residence as a householder, a sojourner, an apprentice, or a hired servant, conferred a settlement. The forty days was subsequently defined as commencing from the time the new-comer gave a notice in writing to the overseers, of the place of his abode and the number of his family<sup>2</sup>, which was to be read out in church on the first Sunday after its receipt<sup>3</sup>. Appeal against an order of removal might be made at Quarter Sessions, whose decision was final, provided it contained no error in form<sup>4</sup>. The statute of 13-14 Car. II, c. 12, has received severe handling from critics. "We have laws in force, to confine men to certain places of habitation, which is a sort of imprisonment, not for a fault, but for a misfortune in being poor"<sup>5</sup>. Its operation has been held responsible for much harsh treatment, especially to pregnant women. In reality, the act regularized, and to some extent mitigated the practice of removal which had been in existence for over half a century or perhaps longer; practices evolved by "folk" law, the hardest, the most unreasonable of all codes<sup>6</sup>.

In order that restrictions upon the movement of parishioners unable to find work in their own parish should be minimized, and that upon obtaining work elsewhere they might be freed from interference, parish officers gave certificates acknowledging the individual as belonging to their village, and undertaking to receive him, with his family, should he become chargeable<sup>7</sup>. Such certificates of acknowledgement, allowed by two justices, obliged a parish to receive the recipient, by 8-9 W. III, c. 30. It conferred immunity from removal until he was actually in need of relief. As in the case of settlement, legislation only confirmed an established procedure.

<sup>1</sup> 13-14 Car. II, c. 12, sec. 1.

<sup>2</sup> 1 Jac. II, c. 17, sec. 3.

<sup>3</sup> 3 W. & M., c. 11. By this statute a derivative settlement could be acquired by (a) serving in a parish office for one year, (b) paying parish rates, (c) being unmarried and hired for a year.

<sup>4</sup> 13-14 Car. II, c. 12. Ventris, *Reports*, 310. It should be observed that a person need not seek relief to incur an order of removal, and that the decision as to his probable chargeability was left to the justices.

<sup>5</sup> Nelson's *Office*, 461. Cf. Fowle, *The Poor Law*, 63: The iron of slavery entered into the soul of the English labourer.

<sup>6</sup> Cf. Hamilton, 16-17: The poor were not to be removed from the place where they were born, or had been most conversant, by the space of three years (1597). Miss Ethel Hampson's paper on *Settlement and removal in Cambridgeshire* (Camb. Hist. Jnl. ii, 272-89) should be most carefully studied. For the ratepayers' side of the question, see *ante*, and the petition printed in *Northamptonshire Q.S.R.* xxix-xxx. It must not be forgotten, that to the average villager, his settlement was a birth-right.

<sup>7</sup> *Som.* iv, 213. *Herts.* i, 321 (1676 and 1682).

*Vagrancy*

Those to whom the routine of village life was distasteful, and who sought a freer existence, became some of them petty chapmen, or strolling players, or fortune tellers, but the majority sought work which they never found. Although well fitted to labour, they wandered idly, "having no good reason for [their] travail to satisfie a Justice of Peace", and gaining a precarious living by begging<sup>1</sup>. Prototypes of the modern tramp class, they were known indifferently as rogues, vagabonds, or sturdy beggars. All vagrants were not English: the counties bordering on the Bristol Channel had trouble with wandering Irish<sup>2</sup>, the more northern shires were visited by Scotch pedlars and labourers in harvest time<sup>3</sup>. Villagers regarded vagrants as a nuisance. Some were ill and died, which put the parish to a charge<sup>4</sup>, others were dirty and carried infection from stricken to healthy areas<sup>5</sup>, all were much given to pilfering, to "robbing orchards or takeing any kynde of corne or grayne growinge in the fiede, milkinge of kyne or such like without the consente of the owners"<sup>6</sup>. At times the sentiment with which they were regarded was rather fear than annoyance. By "threats and menaces, [they] extorted money and victualls from those who live in houses remote from neighbours, whilst their husbands and servants have beene employed abroad . . . and have put the people into a . . . feare that they will fire theire houses or steale their goods"<sup>7</sup>. Vagrants were vermin who swarmed every where; they propagated their species in an undesirable manner<sup>8</sup>.

The rogue was an enemy of the commonwealth; he carried false news and sickness, he was a non-producing member of the community. The class, if it could not be suppressed, must therefore be consistently treated with severity. It was a special duty of the constable, *ex officio*, to apprehend rogues, under pain of ten shillings, and with the advice of the minister and one other of the parishioners, to see they were whipped until the back was bloody<sup>9</sup>. A penalty of ten shillings could be levied upon those who neglected to assist the constable, by refusing to take vagabonds on sight and bring them to him<sup>10</sup>. So determined were the justices to root out the

<sup>1</sup> Shephard's *Sure Guide*, 280. *Worc.* 193.

<sup>2</sup> *Som.* ii, 104. *Hamilton*, 105.

<sup>3</sup> *Shropshire Q.S.O.* i, 78. *West R.Q.S.* ii, 17

<sup>4</sup> *Herts* i, 291-2.

<sup>5</sup> *West R.Q.S.* ii, 24. *Herts*, i, 414. *Hist. MSS Comm.*, *Var. Coll.* i, 72.

<sup>6</sup> *Hist. MSS Comm.*, *Lothian*, 77-8.

<sup>7</sup> *Hamilton*, 248. See *Herts*, i, 375.

<sup>8</sup> *Som.* i, 122: A wanderer married a lewd woman, the daughter of a very poor man who lived in a house built on the waste. He has run away, leaving his wife with child.

<sup>9</sup> 39 Eliz., c. 4, sec. 2.

<sup>10</sup> 1 Jac. I, c. 7, sec. 6.

class that some care was taken periodically to ensure the detection of all vagrants within the county. Parishes were required to organize, under the direction of the justices, night searches twice a year<sup>1</sup>. As the justices ordered, parishes might be required to appoint beadles, at the common charge, if more loiterers than usual were about, or in time of dearth or plague<sup>2</sup>. When depredations were committed on a large scale, special precautions were taken, such as a watch composed of two men from each tithing, armed with bills and piked staves, set at cross roads<sup>3</sup>. To co-ordinate and organize the activities of constables, many counties appointed one or two provost marshals at a salary, raised by a levy on the several divisions of the shire<sup>4</sup>. In the North Riding, an informer was retained at a remuneration of two shillings a week to hunt up, and report to the next sessions the rogues known to be in the county<sup>5</sup>. That the right spirit might be aroused in the inhabitants, the Nottinghamshire justices and those of adjacent counties in the latter years of the Commonwealth, ordered a reward of two shillings to be paid to the person arresting a vagrant, by the constable of the parish where he was taken. Such a device was made of general application in 1662; on the order of a justice to the constable of the place through which the vagabond had passed unapprehended, he was to pay the taker that sum<sup>6</sup>.

Punishment of a rogue was intended to be a reality. Held in the stocks, he was whipped, the individual inflicting the flogging in some cases wearing "a canvis shurte made with a bevar to come over the face", apparently to protect his clothes from blood stains<sup>7</sup>. The sufferer was then despatched to his place of birth, by the shortest route, being allowed a time within which to accomplish the journey, a few pence for his immediate assistance<sup>8</sup>, and a pass, or safe conduct to his destination<sup>9</sup>. *En route*, he was relieved by constables, who

<sup>1</sup> 7 Jac. I, c. 4, sec. 5.

<sup>2</sup> *N.R.Q.S.R.* i, 163. *West R.Q.S.* ii, 8 and 24.

<sup>3</sup> *Som. Q.S.R.* iii, 103.

<sup>4</sup> Devon: *4d.* for every rogue caught (Hamilton, 86). *Herts*: £40 *per ann.* (*Herts* v, 398). *Notts*: apparently two at £10 each (*Notts*, 20). *Somerset*: £4 *per ann.* (*Som.* iii, 147 and 187).

<sup>5</sup> *N.R.Q.S.R.* vi, 244. None of these experiments seem to have been of long duration.

<sup>6</sup> 13-14 Car. II, c. 12, sec. 16.

<sup>7</sup> Hist. MSS Comm., *Lothian*, 80.

<sup>8</sup> 39 Eliz., c. 4, sec. 2. The following examples must suffice: from North Petherton (*Som.*) to Gravesend (*Kent*), 30 days allowed, about 170 miles; from Ilminster (*Som.*) to Barking, 18 days, about 150 miles (*Som. Q.S.R.* i, 334 and ii, 2). *Assoc. Arch. Soc. Reports* xxxviii, 126: Geuen to eight persons whom I whipped and sent away with passes 1s. 4d.

<sup>9</sup> The vagrant was escorted either by the constable or one deputed by him, to the corresponding officer in the next parish. Cf. *N.R.Q.S.R.* i, 11: A constable presented for allowing a vagrant to go at large without giving her in charge to the next constable. *Northants Q.S.R.*, 43: Two men bound for refusing to carry a rogue with a pass to the next town, being required by the constable to do so.

recovered their disbursements through the constable's rate<sup>1</sup>. But on arriving home, he might find a chilly reception, for the inhabitants were suspicious even of reformed vagrants and had little desire that they should live in the parish. It was well for such a man that he had Quarter Sessions behind him to "do him justice"<sup>2</sup>.

### *Bastardy*

The attitude of rate-payers to new comers was characteristically displayed in the case of illegitimate children. A bastard was settled where it was born<sup>3</sup>, and overseers understood only too well that frequently it was an incumbrance. Fornication was an offence of which the ecclesiastical courts took cognizance, but it might easily bring the offenders before lay authorities. Bastards might become chargeable to the parish where they were born, and therefore two justices, including one of the quorum, "in or next unto the limits where the parish church is, within which parish such bastard shall be born" were upon examination of the circumstances to make an order for charging the father or mother for support of the child<sup>4</sup>. As soon as it became evident to the parish authorities that an unmarried girl was pregnant, no pains were spared to ascertain the name of the father, and to obtain a justice's warrant that he "who is charged or suspected" be bound "that he be forthcoming when the child shall be born"<sup>5</sup>, and the heavy sums demanded of the principal, and consequently of the sureties, indicate the determination of the justices and parish authorities to keep him well in sight. Villagers had no objection to incontinence as such, but they had a rooted objection to pay for the upbringing of spurious children<sup>6</sup>. Should the mother possess any false sense of loyalty or delicacy, and refuse to incriminate her partner, it was customary for certain women to be deputed to harry the patient "in the time of her extremity and before her delivery, touching the father"<sup>7</sup>. After the birth, the justices made their order<sup>8</sup>, charging him with the

<sup>1</sup> 13-14 Car. II, c. 12, sec. 18: Levied by the constable, churchwardens, and overseers, and other inhabitants, and allowed by two justices, including one of the quorum.

<sup>2</sup> See *Herts C.R.* i, 321.

<sup>3</sup> *Justices Case Law*, 43.

<sup>4</sup> 18 Eliz., c. 3. A bastard not likely to be chargeable was not within the statute (*Justices Case Law*, 40).

<sup>5</sup> *Dalton, C.J.*, 39.

<sup>6</sup> See *infra*, pp. 234, 276.

<sup>7</sup> *Shrop. Q.S.O.* i, 189 and 87. See *Som. Q.S.R.* ii, 155 and *Notts C.R.*, 124. Similar efforts were made to secure the desired admission for the purpose of a presentation in the ecclesiastical courts. See *Oxfordshire Peculiars (Oxford Rec. Soc.)*, xxvi.

<sup>8</sup> Being careful to follow the wording of the statute, "Two justices, one of the quorum". Twisden J. quashed many orders "because it was not express'd, That one of them was of the quorum" (*Mod. Rep.* i, 68). Also "next to the parish church" (See *Keble's Reports* iii, 383). Next to the parish was held good.

expenses of the confinement if that had fallen upon the parish, and with a certain weekly sum until the child were of such an age or as long as he were chargeable<sup>1</sup>, with sometimes provision for the payment of an apprenticeship fee<sup>2</sup>. To cover the parish as far as possible, the man was usually bound again, to obey the order. Parties who considered themselves wrongfully charged, or too highly rated could appeal at the next Quarter Sessions<sup>3</sup>, and were the original order quashed, the Bench might not substitute another. The whole matter must be referred back to the two next justices<sup>4</sup>.

Should the party charged attempt flight, he was promptly clapped in the House of Correction<sup>5</sup>; if he got away, wrath was visited on the heads of those responsible<sup>6</sup>; a ruling was even recorded that negligent constables might be ordered to contribute to the child's keep<sup>7</sup>. To satisfy the parishioners, a victim had to be found<sup>8</sup>, and in their anxiety, they were ready to invent a new relationship, a reputed grandfather: "it was well Westminster Hall Doors were open"<sup>9</sup>. That any romance attaching to a liaison should be extinguished, justices were authorized by 18 Eliz., c. 3, to order correction, which usually took the form of publicly whipping the parents, the occasion in the more unsophisticated days of the early seventeenth century being improved with symbolical embellishments: "during the time of their whipping two fiddles playing . . . in regard to make known their lewdness in begetting the said base child upon the Sabbath day coming from dancing"<sup>10</sup>. A more prosaic punishment for the mother was detention for one year in the House of Correction (7 Jac. I, c. 4, sec. 7), to which she was sent after the birth of the child, and provided it were living<sup>11</sup>. The death of the cause of the agitation and trouble cancelled all resentments and punitive proceedings<sup>12</sup>.

<sup>1</sup> This clause was important, for the father might keep the child himself (Ventriss, *Reports*, 48).

<sup>2</sup> *Infra*, p. 266: 18*d.*, until 12, and then £5 for the child's premium.

<sup>3</sup> 18 Eliz., c. 3. See Carthew's *Reports*, 455, and *Som. Q.S.R.* i, 120.

<sup>4</sup> Bulstrode's *Reports* i, 343.

<sup>5</sup> *Infra*, p. 290.

<sup>6</sup> *Herts C.R.* v, 291: A constable and two others to pay £7 to the overseers for allowing a reputed father to escape. See *infra*, p. 288. By 13-14 Car. ii, c. 12, sec. 19, the cost of maintenance might be levied on the goods of the father or mother who left the child chargeable. See *infra*, pp. 104, 319, 337.

<sup>7</sup> *Justices Case Law*, 42.

<sup>8</sup> One ordered to contribute half the cost of keeping a bastard, because he suffered a soldier to beget the child on the body of his maid-servant; but quashed on appeal (*Style's Reports*, 207).

<sup>9</sup> Wylde, J. Ventriss i, 310-11.

<sup>10</sup> *Som. Q.S.R.* i, 201. See *Manchester Q.S.*, 137.

<sup>11</sup> The mother could not be whipped, and sent to the House of Correction. (Dalton, *C.J.*, 40 and 41). Whipping of the father was seldom resorted to after the first quarter of the seventeenth century.

<sup>12</sup> *Herts C.R.* v, 424.

*Regulation of Wages*

The State in the seventeenth century had an interest in others besides the illegitimate, the aged, the impotent, or the unemployed : it concerned itself with the working life of craftsmen and labourers. The all important question of wages was not, in Tudor and Stuart polity, a matter for negotiation between master and men ; either side might intimidate a weakling, the employer who could pay most, besides having the pick of the labour market, injured less wealthy masters<sup>1</sup>. Wages had to be standardized, subject to local and contemporary economic conditions. Therefore the justices at Easter sessions or at a sessions held within six weeks after the feast, were, with the aid of those summoned in an advisory capacity, to rate wages for craftsmen, husbandmen, and other labourers, having particular regard to prices<sup>2</sup>. From modern standpoints, a weakness of the arrangement might have been its tendency to place the regulation in the hands of employers, though later, this was guarded against to some extent in the woollen industry<sup>3</sup>. In Somersetshire, at various times it was the grand jury who presented what wages in "their opinion . . . they thought fit to be sett and assessed for labourers this yeare"<sup>4</sup>. There were those ever ready to bemoan the "excessive exactions" of the working class, their idleness, or their arrogance : "the master cannot be known from the servant except it is because the servant wears better clothes than his master"<sup>5</sup>. It seems that only in special cases were workmen consulted<sup>6</sup>. Indications exist that prices were taken into account, in accordance with the directions of the statute, when wage lists were under consideration. In this connection,

<sup>1</sup> *N.R.Q.S.R.* i, 127 : A yeoman presented for giving greater wages than are proclaimed, to the prejudice of others.

<sup>2</sup> 5 Eliz., c. 4, sec. 15.

<sup>3</sup> 1 Jac. I, c. 6, sec. 7 : A justice being a clothier shall not be a rater of wages. Wiltshire weavers and spinners petitioned for the appointment of discreet persons to assess rates of wages (*Hist. MSS Comm., Var. Coll.* i, 94).

<sup>4</sup> *Som. Q.S.R.* iii, 40.

<sup>5</sup> *N.R.Q.S.R.* v, 177. *Hist. MSS Comm., Var. Coll.* i, 322. Cf. *Ibid.*, 132. R. H. Tawney and E. Power, *Tudor Econ. Doc.*, i, 325-6. Compare, *Considerations delivered to the Parliament*, 1559 : Workmen demand unreasonable wages, the times are loose, it is necessary to acquaint men with virtue again, with the sentiments expressed by 5 Eliz., c. 4, sec. 1 : "The wages . . . rated in many of the said statutes are in divers places too small . . . respecting the advancement of prices of all things . . . the said laws cannot conveniently without the great grief . . . of the poor labourers . . . be put in . . . execution". Yet note Smith, *De Republica*, 88 : The justices meet "to take orders for the excessive wages of servants and labourers". On the other hand, see Tawney and Power, i, 363 : Artificers may obtain redress "by good execution of the statutes". Also *E.H.R.* xiii, 91. "The statutes of 5 Eliz. and 1 Jac. having so carefully provided against these inconveniences [of low wages], it were a great shame . . . the poore should be pinched" (*Privy Council Reg.*, 1630).

<sup>6</sup> *Hist. MSS Comm., Var. Coll.* i, 162 : Rates for Wiltshire "set downe by us the clothiers of the said countie", signed by seven clothiers and six weavers.

commodities are spoken of as cheap in the North Riding in 1654, and in Wiltshire in the following year; in 1648, wages were raised by the Somersetshire justices for those who found for themselves, "in regarde of the greate price of all sortes of provision att this present"<sup>1</sup>.

Wages rated were intended to be the maximum figure, those giving more incurred ten days imprisonment and a forfeiture of £5; those accepting, were imprisoned for twenty-one days<sup>2</sup>, and to this aspect the orders of sessions and the presentments constantly refer<sup>3</sup>. After the schedule of wages had been engrossed, the sheriff was responsible for proclamation in convenient places throughout the shire<sup>4</sup>, but a more businesslike arrangement was frequently pursued in the latter half of the seventeenth century. Wage assessments were printed<sup>5</sup>, a copy being delivered to each parish of the county by the clerk of the peace<sup>6</sup>, who in Kesteven received two shillings from the constable on its receipt<sup>7</sup>. The original order should have been filed by the clerk of the peace with other county records, though not of necessity enrolled among Quarter Sessions' orders, non-appreciation of this difference leading at one time to the belief that in the seventeenth century justices failed to exercise their powers concerning wages<sup>8</sup>. There are certainly references to negligent officials who were remiss in the execution of orders, as well as of general non-observance<sup>9</sup>; but from the actual lists, and from the presentments scattered through Quarter Sessions records of individuals refusing to work at rated wages, or of employers exceeding the scale<sup>10</sup>, it is obvious that assessments were made and in force. In some instances the presentments indicate concerted action. When fifty-six cases are brought to one sessions of over-payment, it is clear that the justices were opposing a general increase in the wages paid to servants in husbandry in their division<sup>11</sup>. Consequently it may not have been entirely magisterial laxness which stabilized Buckinghamshire wages for many years<sup>12</sup>. In

<sup>1</sup> *N.R.Q.S.R.* v, 177. *Var. Coll.* i, 170. *Som. Q.S.R.* iii, 67.

<sup>2</sup> 5 Eliz., c. 4, sec. 18-19. No guidance was given as to whether less wages might be offered, save in the woollen industry, where the schedule provided minimum rates (1 Jac. I, c. 6, sec. 7). <sup>3</sup> *Cf. N.R.Q.S.R.* vii, 45.

<sup>4</sup> 1 Jac. I, c. 6, sec. 6, superseding the old certification into Chancery.

<sup>5</sup> *N.R.Q.S.R.* vii, 50 (1681): The treasurer to pay 30s. for printing the rates of servants wages. *Herts C.R.* i, 338 (1683): For paper, and printing 200 large orders of sessions touching servants wages, £1. 4. 0.

<sup>6</sup> *Notts C.R.*, 65. <sup>7</sup> *Infra*, pp. 364, 376.

<sup>8</sup> *Cf. W. Cunningham, Economic Jnl.* ii, 503.

<sup>9</sup> *West R.Q.S.* ii, 333. Hamilton, 221.

<sup>10</sup> *Infra*, pp. 35, 86, 93, 207. <sup>11</sup> *N.R.Q.S.R.* vii, 45-6.

<sup>12</sup> Hamilton, 266. Shropshire assessments have interest in this connection. From 1656 to 1712 apparently no increases were made, the laconic entry "continued" being repeated each year.

Somersetshire, assessments fluctuate<sup>1</sup>, and Wiltshire and Hertfordshire show an increase of roughly 100 per cent in agricultural and other wages through the seventeenth century. But little advance can be detected in Nottinghamshire and Shropshire from the assessments published for 1724 and 1732 respectively<sup>2</sup>. Wages were assessed and supervised right through the Stuart period, but the vexed question as to the effects of these assessments on the status of artisans and labourers cannot yet be determined with certainty.

### *Statute Sessions*

As a protection from caprice, and to ensure continuity of service for a reasonable period, the minimum term of engagement permitted in many trades, and in agriculture, was fixed at one year<sup>3</sup>. Once at work, unless both parties were agreeable<sup>4</sup>, neither dismissal nor withdrawal was permissible until the termination of twelve months, without the express consent of a justice (sec. 5), even though the employed were incapacitated by sickness<sup>5</sup>, or was incompetent, or were conditions intolerable in the situation. Should either party be disposed to make a change at the conclusion of the year, a quarter's notice was necessary on either side<sup>6</sup>, the employee before leaving being required to obtain a testimonial, or declaration by the constable and two householders, that his departure was in order<sup>7</sup>.

<sup>1</sup> The published records end in 1677, but an order dated 1685 was printed in Hist. MSS Comm., *7th Report*, 698-9. *E.g.* a man servant in husbandry was to receive in 1651, £4. 6. 8; in 1652, £4. 10. 0; in 1654, £4; in 1685, £4. 10. 0. A mower in corn harvest, per day, without meat and drink; in 1651, 1s. 4d.; in 1654, 1s. 2d.; in 1655, 1s.; in 1666, 1s. 4d.; in 1668, 1s. 2d.; in 1672, 1s.; in 1673, 10d.; in 1685, 1s. 2d. There was a general reduction in the scale at Easter, 1673. At the Sessions held in January 1674, the court commented upon the abuses of badgers, who enhanced prices, and put the poor to much trouble. This suggests deficient corn supplies. It was ordered that no corn be bought in the market until the poor were well served (*Som. Q.S.R.* iv, 147). At the same sessions it was noted that the great rains had caused a rot in sheep (*Ibid.*, 150). In 1673 and 1674, the harvest is spoken of as deficient (T. H. Baker, *Record of seasons*, 154-5). In 1674, the low rates of 1673 were re-assessed. From the bare text, it is difficult to reconcile the justices' concern for the poor, with the continuance of the low scale if the statute were strictly enforced.

<sup>2</sup> *Var. Coll.* i, 163 and 174: Wilts figures for 1603 and 1685. *Herts C.R.* i, 8 and 292: Assessments for 1591 and 1678. *Notts C.R.* 65, and *Shrop. Q.S.O.* ii, 79. Compare—Devon 1594 (Hamilton, 12-13): Agric. Labourer, 7d.-8d. a day without meat and drink; Carpenter 11d. a day without meat and drink; Notts, 1724: labourer, 6d.-8d. a day without meat and drink; Shropshire, 1732: carpenter, 1s. 4d. a day and drink.

<sup>3</sup> 5 Eliz., c. 4, secs. 3 and 7.

<sup>4</sup> Nelson's *Office*, 47.

<sup>5</sup> A man ordered to maintain his servant who had become subject to strange fits of lunacy, until the end of his term (*Herts C.R.* i, 146).

<sup>6</sup> Sec. 6: In the case of an employee, before two witnesses, sec. 9.

<sup>7</sup> Sec. 10: It was to be registered by the minister of the parish. No situation should be filled by one failing to produce his testimonial (sec. 11).

Annually, on days and at places determined by local custom<sup>1</sup>, the chief constables of hundreds held a meeting or sessions, known as statute or petty sessions<sup>2</sup>, at which all employers and labourers were required to attend<sup>3</sup> for the purpose of entering into contracts for the ensuing year<sup>4</sup>. Private arrangements were not permitted; an agreement previously reached must be ratified at the petty sessions<sup>5</sup>. When the needs of a whole class were in consideration, all must have equal advantages for obtaining what they required. Upon the employer finding one whom he thought would suit him, he obtained from the man his testimonial for the satisfaction of his parish authorities, and gave as an earnest a "Godes penny", or covenant money<sup>6</sup>. Apparently those who were unable to obtain places, or did not seriously endeavour to find them, were "bestowed" upon masters still unsatisfied<sup>7</sup>. The unemployed must be set on work.

A further use of the Statutes was the opportunity they gave for disseminating and collecting information about wages; the wage scale "according to the Justices articles" was proclaimed<sup>8</sup>. As men were engaged, it was incumbent upon the new master to give their names and wages to the presiding high constables, who inscribed the data in a book, and in some cases took a small registration fee<sup>9</sup>. Parish constables attended the Statutes<sup>10</sup>, when, or at some other time, they made returns to the high constables of all servants within their precinct, with the wages paid them<sup>11</sup>.

<sup>1</sup> *Northants Q.S.R.*, 60-62 : From 20-27 September, according to the hundred ; *Nottinghamshire* : at Martinmas (*Notts C.R.* 68). Statutes for Winnibriggs and Threo and Ness, were held at Barrowby (*Infra*. pp. 466, 486); for Beltisloe, at Edenham (*Infra*. p. 440).

<sup>2</sup> 5 Eliz., c. 4, sec. 48.

<sup>3</sup> Cowell, s.t. *Statute Sessions*. Cf. *Northants Q.S.R.*, 62 : Labourers presented for not appearing.

<sup>4</sup> *Ibid.*, 167 : A man presented for causing a disorder at a statute so that "those that wanted servants could not hire them".

<sup>5</sup> *Notts C.R.*, 66 : A presentment for hiring servants out of the statute sessions.

<sup>6</sup> *N.R.Q.S.R.* iii, 254.

<sup>7</sup> Cowell, *Ibid.*

<sup>8</sup> *Northants Q.S.R.*, 61.

<sup>9</sup> *Northants Q.S.R.*, 62 : S.F. presented "for not recordeinge with us a servants wages which hee hired out of our sayd statis". W. D. and others, "for not appearing and recording his servantes that he hired this yere at the . . . statutes". *N.R.Q.S.R.* i, 60 : R. B. presented for retaining W. H. and for refusing to pay 1*d.* to the head constables for entering his wages in their book. Cf. p. 27. *Notts C.R.*, 66 : Nineteen persons presented for not recording the names of servants in the books of the chief constable.

<sup>10</sup> *N.R.Q.S.R.* i, 46 : A constable presented for not coming to the Petty Sessions held by the High Constables.

<sup>11</sup> In the wapentake of Winnibriggs and Threo, at a private sessions, that is, the Statutes, held by a high constable (*infra*, p. 466). See *N.R.* i, 108. Cf. *Ibid.*, 60 : the inhabitants of a parish presented for refusing to give the names and wages of their servants to the constable. *Northants Q.S.R.*, 62 : A constable presented for returning a false bill, "leavinge out manie of the artificers & laborers names there".

That these records were filed and used is clear from the certificate rendered by the chief constable of Beltisloe, that a woman was "retained" at the Edenham statutes. In disputes relative to settlements, they were of value<sup>1</sup>. Statutes were by no means employment and registration bureaux; they were sessions where differences between master and man might be adjusted<sup>2</sup>, and where presentments might be received of infringements of current labour legislation<sup>3</sup>. Chief constables might inquire, but they could not determine; cases must be passed to Quarter Sessions<sup>4</sup>. To give additional weight to what were regarded as important functions, and for the support of the high constables, opinions were not wanting that justices should be in attendance at the statutes<sup>5</sup>, and in one county at least such was made the rule: chief constables in Nottinghamshire were forbidden to hold sessions for hiring servants unless two magistrates were present<sup>6</sup>.

### *Recusancy*

The interest of the Government was not absorbed by attention to those in the lower strata of society: for its own purposes, it classified society by vertical dividing lines. All subjects either conformed, or did not conform to the Church of England, and non-adherence to its teaching was a penal offence<sup>7</sup>. Those who professed a preference for other forms of worship were suspect. No man, whatever his religious beliefs, might absent himself from attendance at his parish church on Sundays and holydays under a penalty of 12*d.*<sup>8</sup>; those absent from church for a month incurred a fine of £20 for each default<sup>9</sup>. The latter statute was directed initially against Roman Catholic subjects, whose loyalty to the government was in doubt. Recusants might at any time be required to take the

### NOTES—continued

*Assoc. Arch. Soc. Rep.* xxxviii, 148: Ayleston constable's accounts, 1687-8: "charges at y<sup>e</sup> statutes and delivering in my bill of y<sup>e</sup> servants names".

<sup>1</sup> *Infra*, p. 440. In the West Riding at the beginning of the seventeenth century, it was customary for all servants to appear before the high constables for recording their names, wages, and term of service; each servant paying one penny (*West R.Q.S.* ii, 396).

<sup>2</sup> *H. C. Compendium*, 216.

<sup>4</sup> *N.R.Q.S.R.* vii, 34.

<sup>3</sup> *Cf. Northants Q.S.R.*, 62.

<sup>5</sup> Dalton, *C.J.*, 95.

<sup>6</sup> *Notts C.R.*, 12 (1683).

<sup>7</sup> See Sir W. S. Holdsworth's summary in *Hist. English Law* viii, 402 *et seq.*

<sup>8</sup> 1 Eliz., c. 2, sec. 14. By 3 Jac. I, c. 4, sec. 27, one justice, upon examination of the party, and finding no reasonable excuse, levied the fine by warrant to the churchwardens.

<sup>9</sup> 23 Eliz., c. 1, sec. 5. By 3 Jac. I, c. 4, sec. 11, the king might waive the forfeiture if he so willed, and seize two-thirds of the lands and goods of the individual. One keeping a servant or sojourner who failed to attend church for one month, forfeited £10.

oath of Allegiance<sup>1</sup>. That the names of those so dangerous to the Commonwealth be kept in remembrance, churchwardens and constables once annually, were to present to Quarter Sessions a list of Recusants absenting themselves one month from church, the names of their children over 9 years of age, and the names of their servants (3 Jac. I, c. 4, sec. 4). Every convicted recusant was *ipso facto* excommunicate, and subject to the disabilities incident to that state<sup>2</sup>. Their religious observances might only be enjoyed surreptitiously: those who harboured priests, or heard Mass were liable to fine and imprisonment<sup>3</sup>; the importation of objects of devotion was prohibited (13 Eliz., c. 1), their devotional manuals, ornaments or relics might be seized, and destroyed or defaced<sup>4</sup>. To proselytize was high treason<sup>5</sup>. The marriage of Roman Catholics was valid only if performed in a church, by an Anglican clergyman, and according to the rites of the Establishment. They were, if not excommunicated, to be buried in the churchyard (3 Jac. I, c. 5). Children of papists might not be sent abroad for education in seminaries conducted by their religious<sup>6</sup>. A recusant might not present to a benefice, nor act as an executor or guardian<sup>7</sup>, he could not practice law or medicine, and was debarred from holding civil or military office<sup>8</sup>. Papists were restricted in their social intercourse, forbidden to come to Court, to London, or within ten miles of the Metropolis, and unless licensed by four justices might not travel beyond five miles of their houses<sup>9</sup>. Finally, all arms and ammunition belonging to a papist above that required for the defence of his house and person, were liable to confiscation<sup>10</sup>.

Such were the disabilities of Recusants as defined by statutes. Justices of the Peace with anti-Popish tendencies could do much to give them literal interpretation<sup>11</sup>. At intervals the Privy Council instructed increased severity and ordered accounts of proceedings

<sup>1</sup> 7 Jac. I, c. 6. Also the oath of Supremacy might be required by proclamation. Recusants might be ordered to subscribe to the declaration touching the Mass and the doctrine of Transubstantiation embodied in 30 Car. II, st. 2, by 1 W. & M., c. 15.

<sup>2</sup> 3 Jac. I, c. 5, sec. 11: Save for the prosecuting of certain legal actions touching real property (sec. 12).

<sup>3</sup> 27 Eliz., c. 2, sec. 4, and 23 Eliz., c. 1, sec. 4.

<sup>4</sup> 13 Eliz., c. 1. 3 Jac. I, c. 5, secs. 25 and 26.

<sup>5</sup> 23 Eliz., c. 1, sec. 2. 3 Jac. I, c. 4, sec. 22.

<sup>6</sup> 1 Jac. I, c. 4, sec. 6, and 3 Car. I, c. 2.

<sup>7</sup> 3 Jac. I, c. 5, secs. 18 & 22.

<sup>8</sup> 3 Jac. I, c. 5, and 25 Car. II, c. 2.

<sup>9</sup> 3 Jac. I, c. 5, and 35 Eliz., c. 2.

<sup>10</sup> 3 Jac. I, c. 5, sec. 27. 1 W. & M., c. 15. By sec. 9 of the latter statute, any horses he possessed over the value of £5 were forfeit.

<sup>11</sup> "Most of the magistrates [of Cumberland and Westmoreland] were very hot against them" (*S.P.D.*, 1666-7, 461).

against papists to be transmitted to the Attorney General<sup>1</sup>. Occasional scares, such as those associated with the Popish or the Rye House Plots revived anti-Papist sentiment. Hence, when the Government or the country were alarmed by rumours or manifestations, there were active searches for recusants by parish authorities, returns into Quarter Sessions, orders for the tendering there of the oaths of Allegiance and Supremacy, for the indictment of all over 16 years, and for their binding over to appear and answer, that the King might be entitled to his £20 a month from the convicted<sup>2</sup>. Those who desired to work off a grudge, or to vent their spleen against neighbours professing the wrong faith, possessed ample opportunities. "If Madam Anderton of Bardsey, with her two sons . . . be convicted, it would not be amiss to humble them, for they are very ill neighbours and highly injurious to me"<sup>3</sup>. Cases of harsh treatment are recorded<sup>4</sup>. The various forfeitures were threatened; 12*d.* a Sunday in Derbyshire<sup>5</sup>, the fine of £20 a month in Lancashire, where nearly £13,000 was charged against ninety-one convicted recusants<sup>6</sup>. Orders were received from the Lord High Treasurer to seize for the king two-thirds of the real estate of thirty-seven convicted at the Somersetshire sessions<sup>7</sup>.

### *The Justices and Recusancy*

On paper, the position of recusants seemed well-nigh hopeless: in real life their position was mitigated by the fact that the administration of the law was not in one, but in many men's hands. Varying outlooks, and sympathies, and relationships, made unanimous action for a protracted period difficult, as is shown by the account given of the proceedings in Lancashire following the Popish Plot. In December, 1678, the justices were ordered by a Royal Proclamation to apprehend all recusants and bind them to keep the peace and be of good behaviour, but not one sixth of the papists in the county were bound. Those who appeared at the next Sessions and naturally refused the oath of Supremacy were either re-bound, or continued on the first recognizance. At the July sessions 1679, those who had not subscribed to the oath, and made default were ordered to appear at the October sessions, but

<sup>1</sup> Hist. MSS Comm., *Var. Coll.* ii, 384. *Kenyon*, 100.

<sup>2</sup> Hist. MSS Comm., *Le Fleming*, 110. *Kenyon*, 118-122, *Herts C.R.* i, 297.

<sup>3</sup> Hist. MSS Comm., *Kenyon*, 133.

<sup>4</sup> A woman had all her goods, even "her bedde she lay on" taken (Hist. MSS Comm., *Le Fleming*, 181).

<sup>5</sup> Cox, i, 301: Epiphany Sessions 1681-2, 450 people, many of them Recusants, were presented for absence from church.

<sup>6</sup> *Kenyon*, 132 (1681).

<sup>7</sup> *Som. Q.S.R.* iv, 181 (1675).

no recognizances were estreated, one of the justices adopting the attitude "that he was not satisfied to bind over popish recusants upon a proclamation". At the sessions held in January 1680, defaulters were again ordered to show cause, or be estreated, but "not one of them did appeare"<sup>1</sup>. The next sessions the clerk of the peace was ordered to prepare estreats, and at a meeting of justices held in the Assize-week, an agreement was arrived at, that defaulted recognizances should be estreated; yet at the October sessions when the estreats were submitted to the justices for signature, after long debate, all were forborne to be signed<sup>2</sup>. If recusants kept quiet and behaved reasonably, they seem to have been able to count on useful, if not effusive local sympathy. It was the sudden alarms, and the suspense which created so much anxiety; "our recognizances were defaulted at Wigan . . . It is an ill time when those that might have mercy upon the needy dare not speak"; may "God give us patience to bear all things with patience"<sup>3</sup>.

Undoubtedly, the pecuniary mulcts were a source of annoyance. In Lancashire, the forfeiture of £20 a month was spoken of as being taken "against all . . . and 'tis a very few that can pay so much, yet it is the strongest process and gives the King a title to goods, lands, and for want of satisfaction that way, to the body . . ."<sup>4</sup>. Even so, barely £1300 could be raised in a year<sup>5</sup>, and that caused much "noise and trouble"<sup>6</sup>. A proposal to turn over the collection to speculators and farm the fines was set on one side as a hopeless expedient, for "there was no recusant of an estate but had foreseen his conviction and had settled his estate"<sup>7</sup>. Where real property was concerned, it was not difficult by the use of a fiction to evade the law; estates were "conveyed away to others, and indeed, what can be devised by them to elude the king is done to the utmost"<sup>8</sup>. Others went to church once a month and escaped the fine of £20<sup>9</sup>, or were bound with Protestants as sureties which complicated the question of forfeitures<sup>10</sup>. Of eight recusants unlucky enough to be committed in Lancashire, "not one of them lyes in the gaole, and but one of them to be produced, but were lodged in or about

<sup>1</sup> *Le Fleming*, 167.

<sup>2</sup> *Kenyon*, 118-122. Cf. *Le Fleming*, 171-2: Divers learned men in law are of opinion that such recognizances are not forfeited by reason of the said recusants appearing (i.e. to be bound), keeping the peace, and being of good behaviour.

<sup>3</sup> *Le Fleming*, 176, 177.

<sup>4</sup> Hist. MSS Comm., *Kenyon*, 144-5.

<sup>5</sup> *Ibid.*, 157.

<sup>6</sup> *Ibid.*, 144. Cf. the account of the riot at Wigan upon the attempted execution of a process (*Ibid.*, 132).

<sup>7</sup> *Ibid.*, 156-7. Cf. *Le Fleming*, 173: Lady Middleton had put some of her property into trust, other things she had sold.

<sup>8</sup> *Kenyon*, 130.

<sup>9</sup> *S.P.D.*, 1664-5, p. 16.

<sup>10</sup> *Kenyon*, 118.

the towne"<sup>1</sup>. Every term a writ issued from the King's Bench against several hundred Papists, and pursuant to statute, they were certified into that Court and outlawed. But it was a paper transaction only. A strict prosecution of processes would have crammed the gaols beyond the limits of accommodation; "it turns to no manner of account to his Majesty to prosecute any this way"<sup>2</sup>. Small wonder then that parish officers were somewhat half hearted: "we cannot apprehend John Newport . . . we have been several times at the place of his dwelling, and his mother doth inform us that he is not at home"<sup>3</sup>. When authorities were curious, and compared presentments for various years, the results made "the fidelity of the present constables and churchwardens appear doubtful"<sup>4</sup>. Moreover, justices were held to be negligent<sup>5</sup> or averse from initiating determined proceedings<sup>6</sup>. Worse still, they were not united: it was commented upon that the power of acts of Parliament and the King's proclamations were weakened by "the wrangling and taring of Justices"<sup>7</sup>.

And what of the Kesteven recusants? While it is impossible to fix with certainty their strength in the last quarter of the seventeenth century, there are indications that the 149 recorded as being over 16 years of age in the Compton Return, is substantially correct<sup>8</sup>. It is not always possible from presentments in ecclesiastical courts and from indictments to distinguish papists from Protestant non-conformists, but in 33 parishes, the Return shows more recusants and dissenters than those recorded as absentees from church in the Visitation books, and in 30 parishes the figure exceeds the number of those appearing in Quarter Sessions records for the same cause between 1674 and 1679. In 21 and 13 parishes respectively the ecclesiastical and civil records yield totals which agree with the Return; in 6 parishes they are less than the former, and 12 less than the latter record suggests<sup>9</sup>. The chief Roman

<sup>1</sup> *Ibid.*, 160.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Herts C.R.* i, 303.

<sup>4</sup> *Le Fleming*, 45.

<sup>5</sup> *Hist. MSS Comm.*, 13th Report, App. 6, p. 12. *Kenyon*, 114.

<sup>6</sup> E.g. the order of the North Riding magistrates that if those presented paid the fee of three shillings due on presentment, no further process should issue against them (*N.R.Q.S.R.* vii, 70).

<sup>7</sup> *Le Fleming*, 109.

<sup>8</sup> In 1676, a return of all over 16 years of age within the province of Canterbury was compiled under the direction of Henry Compton, Bishop of London, by order of Archb. shop Sheldon. The figures relating to each parish gave the numbers of Conformists, Papists, and Non-conformists. The return preserved in the Salt Society Library, Stafford, was used for this Introduction. The return *Tanner MSS*, 150 (Bodleian Library) refers to various parts of the province of York.

<sup>9</sup> Figures are from the presentments preserved in the Act Books of the archdeacon of Lincoln, 1675-6. Through the kindness of Canon C. W. Foster these volumes in the Diocesan Registry were made readily accessible.

Catholic stronghold in Kesteven, as well as in the county, was Irnham, where 56 recusants, or about half of the population, are recorded<sup>1</sup>. And at Irnham, whatever the conditions elsewhere may have been, the recusants carried all before them. The rector presented "Mr. William Newton for being a popish Recusant and absenting himselfe from his parish church many yeares together, and for seducing my people from the Protestant religion, saying . . . if they will turne to his religion, they shall have his countenance (he himselfe being at the first a protestant) . . ."<sup>2</sup>. Three at least of his parishioners were of "late turned Catholicks"<sup>3</sup>.

After the Revolution, some uncertainty appears to have existed locally as to what attitude should be adopted towards Romanists. Save for a man and his wife indicted at Folkingham at Michaelmas Sessions, 1689, and nineteen individuals indicted at the Easter sessions following, there is no record of action against papists until Michaelmas 1690<sup>4</sup>, when full lists appear, which continue to be enrolled each sessions until their omission at the Midsummer Sessions 1695. A note against the names of four individuals indicates that they were committed in 1691<sup>5</sup>, but the justices appear to have been lenient; one fine only is recorded and in that case £20 was reduced to five shillings. It is suggested that the lists of recusants, although technically representing issues of process, were in effect regarded merely as records of papists. In 1696, eight of the more prominent were required to attend at Metheringham "that we might tender . . . the declaracion expressed in an Act of Parliament made" 30 Car. II. Without comment, the entry states that they forbore<sup>6</sup>. By the 1730's the clerk of the peace did not trouble to copy the list into the proceedings of each sessions, the formula "the Roman Catholicks as in the last Sessions" being substituted. Not that the old fear of Papists had disappeared: a crisis might at once cause renewed vigilance. At the Folkingham Easter Sessions held 2 April 1744, the justices on instructions from the Privy Council, dated

<sup>1</sup> The well-known recusant family of Thimbelby was undoubtedly the focus of this settlement. Winifred Thimbelby, daughter of Richard T. of Irnham, was abbess of the convent of English nuns at Louvain, and died in 1690, in her 72nd year. Her brother Edward, was provost of the college at Cambrai (see *Tixall Letters*, with notes and introduction, by Arthur Clifford, ii, pp. 1, 2, and 45 note).

<sup>2</sup> *Archidiaconal Visitations*, 1682, f. 67 (Lincoln Diocesan Registry).

<sup>3</sup> *Episcopal and Archidiaconal Visitations*, 1671-2, f. 86 (*Ibid.*). The converts were Anne Somercoates, John Crunckhorne and his wife.

<sup>4</sup> The list recorded among the proceedings of the Bourne Mids. Sessions 1690, is cancelled.

<sup>5</sup> William Parker, Robert Warrinor, Zach. Walbanckes, and Francis Mabson. *Infra sub anno*, MS. pp. 241, 249, 257, 258. Warrinor was in trouble otherwise (*Vide* MS p. 256).

<sup>6</sup> Sleaford Easter sessions, 1696.

24 February, issued warrants to the chief constables to bring in lists of all papists and reputed papists, whereupon the high and petty constables were ordered to search their houses for arms, weapons, and gunpowder, and seize all their horses over the value of £5. The high constables' affirmations on oath that none of these things could be discovered betokens slight regard for the alarm of the Government<sup>1</sup>.

### *Nonconformity*

The Government had suspicions of the designs, not only of Roman Catholics, but of all who dissented from the Church of England. Nonconformists as a body were regarded after the Restoration as representing the old usurping order; their loyalty to Church and King appeared of doubtful quality, and nervous Royalists, scenting danger, were determined that the Council should receive ample warning of the movements, doings, and opinions of nonconformists in their localities. So dissenters were reported as being well armed and horsed, to be buying up gunpowder, to be marching "in warlike array" bearing stout cudgels<sup>2</sup>. They attended secret meetings; the factious in various parts of the country were in correspondence with one another and the Scots; cant terms in their letters were used to denote references to munitions<sup>3</sup>. High sheriffs, deputy lieutenants, and justices saw in the meetings and movements of Fifth Monarchy men, Independents, Presbyterians, and Quakers, mischief and threatened insurrection<sup>4</sup>. The fact that conventicles were held at the houses of those "very active in the late rebellion"<sup>5</sup>, was sufficient to convince many that they were "unlawful meetings under pretence of religious worship"<sup>6</sup>. Praying extempore and singing psalms might be unobjectionable; the discourses were otherwise; "they never read a chapter in the Old or New Testament, nor so much as a verse, except it be for a proof in their teaching"<sup>7</sup>. Innocent texts conveyed much to hearers; a discourse on "Thy kingdom come" could lead to an exhortation to the saints to pray for the coming of Christ in glory; in which case the orthodox trembled for the fate of the Stuarts and the Church of England<sup>8</sup>. The drift of many sermons was held to be nothing more than "treason in parables"<sup>9</sup>.

<sup>1</sup> Sessions books under that date. Notice of the order is lacking from the minutes of the Sleaford sessions.

<sup>2</sup> S.P.D. 1670, 313. 1663-4, 587 and 177.

<sup>3</sup> S.P.D. 1663-4, 587. 1666-7, 488-9. 1661-2, 128.

<sup>4</sup> Hist. MSS Comm., Lonsdale, 93. *Le Fleming*, 30. S.P.D. 1670, 59.

<sup>5</sup> *Le Fleming*, 68. <sup>6</sup> S.P.D. 1668-9, 408.

<sup>7</sup> S.P.D. 1673-5, 397.

<sup>8</sup> S.P.D. 1667, 467.

<sup>9</sup> S.P.D. 1670, 229.

Some scorned to use figures of speech ; "why do the people make a flocking to the king under pretence of curing the king's evil, which the king cannot do ; but we are the Priests and Prophets to whom they ought to flock, who by our prayers can heal them. We have had two wicked kings now together who have suffered Popery to be introduced under their noses, whom I can like to none but wicked Jereboam, and if they (innuendo, the People) would stand to their principles, I make no doubt but to conquer our enemies with Rams Horns, broken pitchers, and a stone in a sling as in time of old"<sup>1</sup>. It was courting trouble in the seventeenth century to denounce the high constable as a blockhead, to prophesy the cutting of many throats before the restoration of God's day, or to beseech Him to rain fire and brimstone on the justices for disturbing a conventicle<sup>2</sup>. Nonconformist preachers refusing to take oath as to the unlawfulness of bearing arms against the king, or endeavours to procure alteration in the government of Church and State, forced justices to unfavourable conclusions. They were pronounced implacable enemies of the established government, their meeting houses were "no other than tinder boxes, to strike fire upon all occasions"<sup>3</sup>. Unfortunately, nothing was lost in the reporting of tactless doings of individuals. Whilst craving for liberty to worship as conscience dictated, some had obviously little understanding of the meaning of religious toleration<sup>4</sup>. They might interfere with the ministrations of the regular clergyman<sup>5</sup>, they published scandalous books and seditious papers<sup>6</sup>. Consequently measures were taken to prevent nonconformists meeting for worship. In general it was held that the Elizabethan and the early Stuart penal statutes against recusants might be enforced with regard to dissenters<sup>7</sup>, though laws directed specifically against them were not wanting. The Act of Uniformity (13-14 Car. II, c. 4) enjoining the exclusive use of the Prayer Book, and ordering ordination by a bishop under pain of deprivation, was a blow aimed at those who obtained livings in the days of the

<sup>1</sup> *Modern Reports* iii, 52-3. Cf. S.P.D. 1663-4, 3: They must be ready to root out the bastard king Jereboam and his posterity.

<sup>2</sup> *Heris C.R.* i, 320.

<sup>3</sup> Hamilton, 194. S.P.D. 1667-8, 68.

<sup>4</sup> *Midd. C.R.* iii, 328: An anabaptist jeered at, punched and beat his apprentice for going to church. Cf. *The last legacy of Mr Joseph Davis Senr* (1707), 9: The master appointed a Presbyterian minister to discourse with his apprentice, who had to bear scorns and frowns.

<sup>5</sup> At Bromsgrove, Anabaptists made a tumult at a funeral, throwing the corpse into the grave, and scraping in the earth with their feet (*Assoc. Arch. Soc. Rep.* xxiv, 595).

<sup>6</sup> *Midd. C.R.* iv, 26-7. S.P.D. 1666-7, 112: A Grantham Quaker had in his possession eight quires of printed papers bearing the motto, "The man of sin shall fall, and Christ reign over all".

<sup>7</sup> Bond's *Complete Guide*, 185.

Commonwealth. The Five Mile Act (17 Car. II, c. 2) debarred nonconformist ministers from living or coming within five miles of a corporation unless passing along the road, or within a like distance of the parish in which they formerly officiated, under a penalty of £40. The acts of 16 Car. II, c. 4, and 22 Car. II, c. 1, for the suppressing of seditious conventicles forbade all over 16 years to be present at a religious assembly, other than allowed by the Church of England, at which more than five persons over and above the household were present. Persons allowing their houses, outbuildings, or grounds to be used for such meetings were subject to heavy penalties: preachers exercised their office with a price on their heads<sup>1</sup>. And royal proclamations from time to time charged all justices of the peace to put into execution the laws against conventicles<sup>2</sup>.

It was useless for nonconformists to urge that they could not attend church without offending their consciences, that they were not disloyal, that they did not oppose the king's authority, that preaching "salvation by the merit of Jesus Christ" was not sedition<sup>3</sup>. The law of the land insisted that *all* should attend their parish church (1 Eliz., c. 2, sec. 14); thus every other assembly constituted a breach of the law, and "whosoever excites the people to the disobedience of a law commits the highest offence under high treason"<sup>4</sup>. Hence one reads much of disturbing conventicles. In some instances "the people departed when ordered"; in others, not without acrimonious discussion<sup>5</sup>. Where a justice thought himself not strong enough to act, the military authorities were commanded to lend effectual aid to break up meetings<sup>6</sup>. Usually the churchwardens or the local justice made a raid, took the names of as many as possible, who the next day were brought, with the necessary

<sup>1</sup> 16 Car. II, c. 4: For the first offence, any two justices could commit to gaol or the house of correction without bail for three months, if a fine, not exceeding £5 were unpaid. On a second conviction the imprisonment and fine were doubled. A third conviction was punishable by transportation. 22 Car. II, c. 1 (1670). For the first offence, a 5s. fine; second and subsequent offences, 10s. fine. The preacher was to be fined £20, but if he escaped, or was too poor to pay, it was to be levied on those attending. Second and subsequent offences, £40 fine.

<sup>2</sup> S.P.D. 1668-9, 449. The grand jury at the Lincoln Assizes, August 1669, finding that the proclamation had good effects, sent their thanks to the king accordingly.

<sup>3</sup> Shephard's *Sure Guide*, 167. S.P.D. 1680-1, 626.

<sup>4</sup> S.P.D. 1668-9, 398. Ventris, *Reports* ii, 23.

<sup>5</sup> S.P.D. 1663-4, 18. 1668-9, 354.

<sup>6</sup> 22 Car. II, c. 1, sec. 9. Cf. S.P.D. 1670, 401-2: After the justices' warrants to suppress a conventicle near Leeds were slighted, a party of twenty horse were sent from York, and two conventicles suppressed. *Ibid.*, 384: A troop of Lord Oxford's horse regiment is asked for to overawe the Anabaptists and Presbyterians in Wiltshire. The military do not seem to have been used greatly.

witnesses, before two justices and convicted, the warrants to levy fines then being issued<sup>1</sup>. It was simpler for the justices to call for returns of absentees from church, that the statutory fines be imposed<sup>2</sup>. Working independently of justices and parish officers, were informers, who from motives of malice<sup>3</sup>, or avarice, or scrupulous zeal, could lay an information at Quarter Sessions, and might claim one-third of the penalty. The informers appear to have been by no means negligible figures<sup>4</sup>, but their proceedings needed to be instituted with wariness; it was easy to catch a tartar. Conventiclers could themselves persecute when necessary<sup>5</sup>.

Dissenters were liable to fines from three sources; those which they incurred under the Conventicle Acts, the forfeiture of £20 a month under 23 Eliz., c. 1, and the 12*d.* fine levied in accordance with 1 Eliz., c. 2. Ostensibly directed against recusants, the statute of 23 Elizabeth was held to be drawn in general terms and hence applicable to nonconformists<sup>6</sup>, but in practice, prosecutions under this statute might be avoided by agreement between the court and the jury, that dissenters "be only indicted for absenting from the church for three Sundays last past"<sup>7</sup>. The fine of 12*d.* was held more serviceable<sup>8</sup>. No task can be more difficult than to generalize on the operation of these statutes. Notorious or stupid offenders experienced imprisonment<sup>9</sup>, as did those who could not, or would not pay fines levied under the Conventicle Acts. But how were they levied? From a study of the Middlesex Sessions Rolls,

<sup>1</sup> *S.P.D.* 1678, 442. Convenient back doors not infrequently assisted retreat (1664-5, 206).

<sup>2</sup> *Som. Q.S.R.* iv, 56-7. *N.R.Q.S.R.* vii, 56. *Assoc. Arch. Soc. Rep.* xxxviii, 147.

<sup>3</sup> Sansom 274-5: A Berkshire man to revenge himself upon a justice, moderate to dissenters, set up as an informer.

<sup>4</sup> *S.P.D.* 1672-3, 613: "The reports that the declaration is . . . to be of no effect in law has set the informers to work again".

<sup>5</sup> *S.P.D.* 1671, 20-1: So resolved are the conventiclers to fright all persons from being informers, that the Court was hardly up before they arrested the informer on five separate actions, the expense of which must undo a poor man. *Cf.* Jones, *Reports*, 163: An informer went to a conventicle and asking one his name, received the reply, "Seth Hopkins," a notorious conventicler. He swore before a justice that he did not know Hopkins, against whom a warrant was issued for forfeiture. The informer was sued for perjury, and an obstinate jury, against the direction of the judge, found him guilty.

<sup>6</sup> *Le Fleming*, 110. *Cf.* Hist. MSS Comm., 6th Report, 367: Three Devonshire men petitioned against fines under this statute. The king not only pardoned their fine, but declared he would not have the statute put in execution thereafter, it being his judgment that no man should suffer for conscience sake.

<sup>7</sup> *N.R.Q.S.R.* vii, 69. *Cf.* Kesteven indictments.

<sup>8</sup> *S.P.D.* 1668-9, 466. *Le Fleming*, 110. Hamilton, 183 *Cf.* *Shropshire Q.S.O.* i, 90.

<sup>9</sup> *S.P.D.* 1663-4, 45. 1670, 273: Two hundred were present at a conventicle at Dover. One of the brethren said he would sacrifice his life for what he asserted, and seal it with his blood. "I sent him to prison."

Mr J. C. Jeaffreson came to the conclusion "that the general leniency of the sentences to imprisonment is no less remarkable than the general moderateness of the alternative exaction of money"<sup>1</sup>. And this seems fairly to represent conditions in the country at large. Secondly, there is not observable any consistent effort to proceed against dissenters. Such would imply a unanimity of purpose on the part of justices, churchwardens, and constables which we know to have been non-existent. Rather, activity ran in cycles, dependent upon local or national causes, the former tending to hit individuals<sup>2</sup>, the latter more all-embracing.

When discussing records of imprisonment it is imperative carefully to distinguish Quakers from other nonconformists. Moreover, the significance of fines imposed at sessions on nonconformists only becomes clear when reference has been made to the local or national events which stimulated action at the moment, the status and antecedents of the individual, the frequency with which he was fined and the question whether he ever paid his fine at all. In Derbyshire, a conviction by no means implied that money was paid into court<sup>3</sup>; parish officers were easily put off by locked doors; "therefore we desire your worship not to be very strict with us for we have done our endeavours for to get them all distrayned"<sup>4</sup>. If a distress were taken, purchasers were lacking<sup>5</sup>, or goods were not offered for sale<sup>6</sup>. The Derbyshire justices were driven to admit that search of their records revealed convictions upon which there had been little or no execution; some convicted had departed, others were so poor that little could be obtained from them, goods seized were still unsold<sup>7</sup>. The advice of justices "not to meet any more" was commonly given<sup>8</sup>, their statement "we are as unwilling to cause you to suffer as you can be to suffer"<sup>9</sup> agrees well, on the whole, with the evidence of Quarter Sessions papers. It was when dissenters were "insolent", armed themselves, or gave out boldly that they would continue to meet in despite of authority,

<sup>1</sup> *Midd. S.R.* iii, 349.

<sup>2</sup> Sansom, 369: "This Thomas Fettiplace was a cruel persecutor of our Friends (and of other Dissenters also, when he could catch them) at Farringdon". Cf. *S.P.D.* 1666-7, 168: The work of the church has been indefatigably carried on by Thomas King, a public spirited citizen.

<sup>3</sup> Cox, i, 351-4. Cf. *S.P.D.* 1670, 273: Magistrates issued warrants "and thus think they have performed their duty," while goods are carried away so that a distress was impossible, and the intention of the act frustrated.

<sup>4</sup> *Heris C.R.* i, 263.

<sup>5</sup> *Ibid.* i, 343.

<sup>6</sup> Sansom, 280-1: In 1683, he was fined £20 as a preacher, and cloth and books to the value of £21. 13. 6 were taken, but kept by the constable in his house for four years, when the serge, slightly moth-eaten, and the books were returned. Some of the latter were lost.

<sup>7</sup> Cox, i, 357.

<sup>8</sup> *S.P.D.* 1670, 273.

<sup>9</sup> Sansom, 204.

that the magistrates "thought it absolutely necessary to put the laws in execution . . . which has been acted with great moderation"<sup>1</sup>. Speaking generally, the activity against dissenters from 1660 to 1689 seems to have been spasmodic. For about a year after the passing of the two Conventicle Acts (1664 and 1670) there was trouble; "our conventiclors are at present pretty quiet, since wee are now and then fineing of them"<sup>2</sup>. Subsequent to the withdrawal of the Declaration of Indulgence (1673) and as an aftermath to Monmouth's Rebellion (1685), justices became active; it was the Rye House Plot (1683) which produced the most pronounced proceedings<sup>3</sup>. The experience was unpleasant while it lasted, and there was annoyance to be faced by all, many learning what it was to be convicted and fined, some to suffer imprisonment. But of continual persecution, of a really determined crusade against nonconformists, there is no trace. Vigilance was soon relaxed; a period of recuperation followed before the next storm arose. It is highly questionable whether dissenters as a whole, had seriously to struggle for their existence. And if pressure was so applied as to force a show of conformity, it produced a sorry triumph: those who attended church unwillingly behaved "with all imaginable irreverance and ill demeanour . . . intimating by their rude carriage that though they be enforced to come to church yet they scorn to communicate with us in our solemn offices of religion"<sup>4</sup>.

### *The Declaration of Indulgence, 1672*

For a year in the reign of Charles II, March 1672 to March 1673, the penal laws "against whatsoever sort of nonconformists" were in abeyance through the operation of the Declaration of Indulgence, which permitted "a sufficient number of places as . . . shall be desired, in all parts of our kingdom" to be licensed "for the use of such as do not conform to the Church of England"<sup>5</sup>. Licences were

<sup>1</sup> S.P.D. 1680-1, 433.

<sup>2</sup> *Le Fleming*, 86 (1671). Note the *now* and *then*. Cf. *Ibid.*, 71: We have convicted many Quakers and are levying of their fines. The Independents will be convinced of their errors as soon as money is drawn from them.

<sup>3</sup> See *Herts C.R.* i, 331 *et seq.* Hist. MSS Comm., *Var. Coll.* i, 158: A great revival in Wilts (1684) in putting in execution the laws against nonconformity. *Strength in weakness manifested: in the life . . . of . . . Elizabeth Stirredge* (4th ed. 1795). Preface (p. iv): 1683 was a time of great imprisonment in Somerset. Sansom, 292: In 1683 informers were rampant, and the moderate justices gone off the Bench. Note the great increase of names in Kesteven after Mich. 1683. In Nottinghamshire the number of presentments in 1683 doubled (*Notts C.R.* 136).

<sup>4</sup> Hamilton, 197.

<sup>5</sup> For a full discussion of the Declaration, see Frank Bate's *The Declaration of Indulgence, 1672*. The quotations are from pp. 77-78. Recusants were not allowed public places of worship, but were exempted from the operation of the penal laws, p. 78.

granted which either allowed individuals to officiate as preachers at a specified house, and much less frequently, within the county at large; or recognized certain houses as meeting places. From an analysis of entries in the Register of Licences<sup>1</sup>, it appears that in Lincolnshire the Baptists had 27 licensed meeting places, the Presbyterians 25, Congregationalists 6, and unspecified Nonconformists one. The Quakers did not apply for licences<sup>2</sup>, though they do not seem to have suffered on that account. There was a disposition to let Nonconformists alone<sup>3</sup>, who consequently thrived, to the discouragement of the Anglican clergy<sup>4</sup>, albeit contemporaries noted that material gain was accompanied by spiritual loss<sup>5</sup>. The king's withdrawal of the Declaration, when forced by the hostility of the Commons<sup>6</sup>, placed the justices in an awkward position. Uncertain as to whether meetings should be suppressed, they warned dissenters to be peaceful and observe such hours as would give no offence<sup>7</sup>. Where they were disposed to take action, as in Oxfordshire, declaring that the penal laws were still in force, the king having no power to suspend them, justices were summoned before the Council and cautioned against repeating such statements<sup>8</sup>. But if justices feared "to intrench on His Majesty's supremacy"<sup>9</sup>, and tried to sit on the fence, there were dangers to be reckoned with: "I am threatened by some busy informers with the penalty of 100*l*. which you know the Act [22 Car. II, c. 1] enjoins, if I grant not warrants on complaint against conventicles and meetings"<sup>10</sup>. Sansom's narrative leads the reader to believe that from 1676 to 1682 meetings were held freely and openly<sup>11</sup>. At Windermere in

<sup>1</sup> P.R.O., S.P. 44 38A. A very convenient summary of entries by counties may be found in Appendix vii of Bate. Summaries are also scattered through S.P.D. 1672-3. The Lincolnshire entries were abstracted by Mr A. S. Langley, and printed in *Lincolnshire Notes and Queries* xvii (1923), 102-110. There are minor inaccuracies and no page references to the original are given. The whole volume has been edited by Professor G. Lyon Turner, *Original Records of early Nonconformity* i, 419-585.

<sup>2</sup> Bate, 89. The Compton Return gives 425 dissenters over 16 years of age in Kesteven. Beckingham, which the ecclesiastical visitation records show to have been a Quaker stronghold, stands first with 30. At Gedney, 113 persons, or one-third of the population, were nonconformists.

<sup>3</sup> S.P.D. 1672, 543. Justices would not suppress an unlicensed conventicle, pretending that the laws were utterly suspended even towards such as do not use the Indulgence.

<sup>4</sup> S.P.D. 1672, 589.

<sup>5</sup> Sansom, 206.

<sup>6</sup> Bate, 109-123.

<sup>7</sup> S.P.D. 1673, 368.

<sup>8</sup> *Ibid.*, 369.

<sup>9</sup> S.P.D. 1673-5, 424.

<sup>10</sup> S.P.D. 1673, 120. See Ventris, *Reports*, 122. B.R. 23 Car. II: A Devonshire justice, on complaint made to him of a conventicle, refused to go to the place and suppress it. The informer sued for his moiety of the £100 forfeiture. On technical grounds, he was non-suited.

<sup>11</sup> 207 *et seq.* In the N. Riding there was an enormous list of presentments at the January and Easter Sessions, 1674 (*N.R.Q.S.R.* vi, 195-202, 204-212). Then there is silence.

1678, the Quakers by the vehemence of their preaching could disturb the congregation in the church<sup>1</sup>. But for the unlucky business of 1683 and 1685, it is not improbable that discreet dissenters would have enjoyed a fair measure of freedom.

### *Attitude of Parish Officers*

There is a considerable amount of evidence which points to a distinct reluctance on the part of parish officers to play the oppressor. They refused to make returns, their dislike of the business was notorious<sup>2</sup>, their remissness was the subject of complaint at Quarter Sessions<sup>3</sup>. The initiative, being largely in their hands, lack of presentments were from the start a handicap for those who wished to institute proceedings. In other ways antipathy was manifested: the parish officers dawdled when ordered to suppress meetings, or declined to do so; they neglected to levy penalties<sup>4</sup>. Even high constables might be culpable<sup>5</sup>. It may be suggested that their policy, while explicable by an easy-going tolerance, was influenced by other considerations. In a rural parish of average size, one of the parish officers was sure to be related to, or friendly with dissenters: it was not pleasant to get neighbours into trouble. On the other hand, the holding of parish offices in rotation made men, who troubled the church as little as possible, constables and churchwardens<sup>6</sup>. And in their turn, too, nonconformists served, though justices might order that no constable be appointed without enquiry as to his conformity<sup>7</sup>. Local custom, especially where a difficult office was concerned, was not lightly to be disregarded.

The same half-heartedness with which parish officers are credited may be observed among justices<sup>8</sup>. Some complained that

<sup>1</sup> S.P.D. 1678, 442. It is interesting to observe that conventicles were held in parish churches in Somersetshire and Devonshire (*Som. Q.S.R.* iv, 101 and 127, Hamilton, 180). The minister of Castle Bytham, Kesteven, was asked to lend the church for the holding of a conventicle (S.P.D. 1664-5, 368). At Sudbury, the dissenters got hold of a disused church in which to hold meetings. (S.P.D. 1670, 287). As to the apparent helplessness of the local minister, see *Oxfordshire Peculiars* (Oxf. Rec. Soc.), 91.

<sup>2</sup> Cf. *Midd. C.R.* iv, 16. *Le Fleming*, 110: "I believe the constables and churchwardens will not returne us their names".

<sup>3</sup> Cox i, 352.

<sup>4</sup> Sansom, 276. *Le Fleming*, 195. *Herts C.R.* i, 286-7.

<sup>5</sup> *Herts C.R.* i, 349: The high constable of Dacorum Hundred lives near a conventicle which is held every Sunday. He never disturbs them.

<sup>6</sup> Cf. *Herts C.R.* i, 348: A churchwarden had not been to church for 20 years. He will never execute any of the justices warrants, and is a great ring-leader amongst the fanatics.

<sup>7</sup> Hamilton, 222.

<sup>8</sup> Hist. MSS Comm., *Le Fleming*, 184: Several Surrey justices reprimanded for not putting the laws in execution against dissenters.

the judges of assize did not sufficiently support them<sup>1</sup>. Justices granted warrants one day and recalled them the next, or they refused to draw them, winking at the proceedings of dissenters<sup>2</sup>. Some put "dubious interpretations . . . upon the plain text" of the statutes<sup>3</sup>, others disliked to interfere with those living near them<sup>4</sup>, for as one justice wrote, the "church teaches me charity, and discretion is but charity in another dress"<sup>5</sup>. Whatever may have been the explanation of this attitude, two results followed. Great encouragement was given to conventiclers to stand their ground; "an anabaptist whom I advised to forbear their public meetings and rebellious speeches, defied me to suppress them, presuming upon the favour of the neighbouring justices"<sup>6</sup>. Secondly, conscientious magistrates found themselves decidedly unpopular: "while we . . . struggle . . . to serve our gracious king, here is some of our neighbouring justices . . . who refuse to join with us in this good service, which makes . . . us to be very ill represented, and thought to be busy in that which is not required of us"<sup>7</sup>.

### *The Quakers*

Quakers must be noticed separately: their teaching, outlook, and psychology brought them violently against the prejudices of the time. It was beyond the bounds of possibility that an average justice in the seventeenth century should have been possessed of such wide sympathy as would tolerate the actions and conduct of those who embraced the tenets of the Society of Friends. Their disregard for public fasts<sup>8</sup>, refusal to remove their hats before justices<sup>9</sup>, their contempt for the law and its formalities, so dear to the Englishman of the Stuart period, provoked suspicion and dislike<sup>10</sup>. As the taking of an oath was contrary to their teaching, there were wordy discussions and an angry bench when one was picked for jury service, or stood defendant, or was tendered the oath of Allegiance<sup>11</sup>.

<sup>1</sup> S.P.D. 1663-4, 457: Several justices are cool to commit Quakers, because the judges set them at liberty, or give them a very small fine. *Le Fleming*, 58: The discharge of a Quaker encourages the fanatics, and discourages the magistrates. S.P.D. 1667-8, 165: The justices complain they have no encouragement from above and let the fanatics alone. Ambiguously endorsed "false news".

<sup>2</sup> S.P.D. 1670, 231-2. 1666-7, 64. *Le Fleming*, 68-9.

<sup>3</sup> S.P.D. 1670, 231.

<sup>4</sup> Cox 1, 344.

<sup>5</sup> S.P.D. 1673-5, 552.

<sup>6</sup> S.P.D. 1667-8, 69.

<sup>7</sup> Kenyon, 172.

<sup>8</sup> S.P.D. 1661-2, 426.

<sup>9</sup> Hist. MSS. Comm., *Var. Coll.* i, 135. S.P.D. 1661-2, 426. Cox. i, 340-1.

<sup>10</sup> Hist. MSS. Comm. *Lonsdale*, 92.

<sup>11</sup> *Var. Coll.* i, 135. Sansom, 294 and 320. By 13-14 Car. II, c. 1, sec. 2, Quakers refusing to take an oath, were liable to the forfeiture of £5 for the first offence. A like penalty was incurred when more than five assembled for religious worship.

With the ecclesiastical authorities, Quakers were in ill favour. They objected to pay tithes, the parson's wages. "It was laid upon me to stand clear . . . and not to have any hand in upholding him [the minister] in his false worship and ministry" and parsons were warned in no uncertain terms to refrain from meddling with crops under pain of the guilt of robbery<sup>1</sup>. The Quakers held out against the "steeple house tax" or the church rate<sup>2</sup>; they carried their dislike of other sects to such lengths that where possible, they buried their dead in out of the way places<sup>3</sup>. Services were interrupted by those moved to reason with the minister<sup>4</sup>, compromise was not easily possible when the incumbent was told "that the work and ministry, which thou (for filthy lucre sake) art crept into, is not of God"<sup>5</sup>. The average Quaker was intolerant; the minister went to his "shop or place of trading worship", conformists "to the house they called their church", where they received "that which they call the Sacrament of the Supper"<sup>6</sup>. All who differed from Quakers were wrong<sup>7</sup>; the country was barren of the true professors of the gospel religion<sup>8</sup>, villagers were "a sort of sordid, sottish people; inclined much to drink, smoaking, vanity and folly: and as it were wholly sensless of and unconcerned for their souls"<sup>9</sup>. When they smarted for their belief, some nursed a grudge against those who caused their suffering, and delighted to chronicle the untimely ends of their enemies. So Sansom writes of a parson with whom he was at feud, that his "belly was extreamply swollen", that he lay seven weeks in an extremity of pain and died, "thus miserably ended his life . . . the Lord having made him an eminent example to all hard hearted persecutors; who I heartily wish may consider his end; and take warning thereby in time"<sup>10</sup>. Similarly, he gloats over the deaths of an unjust bailiff and his son, removed by the Lord out of his way, or of that of the biassed juryman, who "Judus-like, hanged himself", or of his "envious adversary" who died miserably, "a filthy, lewd, unclean person", or over the bad ends of the two informers, or at the decease of "the High Priest" of Abingdon after a wrangle concerning Easter offerings<sup>11</sup>. By many, Quakers were

<sup>1</sup> Sansom, 21.<sup>2</sup> *Ibid.*, 33.<sup>3</sup> Kenyon, 146-7.<sup>4</sup> Cox, i, 346-7.<sup>5</sup> Sansom, 74.<sup>6</sup> *Ibid.*, 72, 64, 155.

<sup>7</sup> Hist. MSS Comm., *9th Report*, i, 326B: Under the Commonwealth ministers were molested in their meetings. Or in their classes (Cox i, 340). After the Restoration, meetings of other Nonconformists were disturbed (Cox i, 346-7). Nonconformists had little love for Quakers. The Presbyterian minister at Newbury "opened his mouth wide against us . . . [and] endeavoured to render us and our principles odious to his auditory" (Sansom, 158 and 161).

<sup>8</sup> *The last legacy of Mr Joseph Davis Senr*, 7.<sup>9</sup> Sansom, 98.<sup>10</sup> *Ibid.*, 95.<sup>11</sup> *Ibid.*, 306-7, 301, 156, 383, 425.

thought vindictive; gossip reporting the keeping of registers recording the names of all who had been imprisoned, and by whom, "to be ready against a time when they shall call the justices to account"<sup>1</sup>. All things considered, it is not difficult to understand why so much is heard of imprisoned Quakers. Their refusal to take oaths and pay tithes, their objection to fall in with the accepted civil and religious practices, their discourses to clergy and justices, fearless and sincere no doubt, but very tedious and tactless, too often left a Bench with no alternative but commitment<sup>2</sup>. When, after the Revolution, the troubles of nonconformists were practically over, Quakers still sailed in stormy seas. That the leaders of the sect for the purposes of the Poll Tax (1690) should be regarded as ministers of religion, was held by them as an insult. Rather than be numbered amongst the hirelings, they would suffer restraint<sup>3</sup>. Contemporaries saw little to be pitied in sufferings, incurred as they thought, by perverse eccentricity.

<sup>1</sup> S.P.D. 1670, 361. 1663-4, 251.

<sup>2</sup> "Mr Sansom, although you have had the Oath tendered twice already; and you have refused it: yet, if you will now take it, you shall be acquitted. You shall hear it read." Then, after a good deal of discussion, "We have much business, and but little time; wee cannot stand long with you. We think it our duty to swear; and we are upon our oath to execute the king's laws: and this oath being lawfully tendered, you must give your answer, whether you will take it, or not" (Sansom, 320).

<sup>3</sup> *Ibid.*, 415.

## APPENDIX A

The first three columns indicate the population of the various parishes within the Parts of Kesteven in 1665, 1801, and 1921. Those for 1665 are computed from the Hearth Tax Return, P.R.O. *Exch. Lay Subsidy*, 17 Car. II, E 179 (140/754), by multiplying the number of houses by five. The figures for 1801 and 1921 are from the Census Returns for those years.

The last three columns show the number of Conformists, Papists, and Nonconformists over the age of 16 years, as recorded in the Compton Return, 1676, and now in the Library of the Salt Society at Stafford.

	POPULATION			COMPTON RETURN		
	1665	1801	1921	Conform.	Papists.	Noncon.
Allington .. .. .	280	243	217	133	—	—
Ancaster .. .. .	215	336	566	104	—	15
Anwick .. .. .	180	209	248	107	—	—
Asgarby .. .. .	85	55	63	47	—	—
Ashby de la Laund ..	85	127	200	—	—	—
Aslackby cum Graby ..	305	338	354	163	—	2
Aswarby .. .. .	85	113	90	48	1	—
Aubourn .. .. .	145	179	212	81	1	5
Aunby, <i>see</i> Castle Bytham						
Aunsby .. .. .	115	84	108	—	—	—
Barholme .. .. .	70	145	170	50	—	—
Barkston .. .. .	190	276	409	108	—	—
Barrowby .. .. .	260	465	812	183	—	—
Bassingham .. .. .	400	413	606	195	—	8
Bassingthorpe .. ..	130	158	78	78	—	2
Baston .. .. .	325	457	560	177	—	2
Beckingham <sup>1</sup> .. ..	275	357	269	159	—	30
Belton .. .. .	150	147	145	83	—	—
Bennington, Long ..	465 <sup>2</sup>	723	756	—	—	—
Billingborough .. ..	280	537	989	250	—	—
Billinghay .. .. .	390	579	1226	403	4	1
Dogdyke .. .. .	135	192	178			
Walcot .. .. .	260	361	472			

<sup>1</sup> With Sutton in Compton Return.

<sup>2</sup> 83 names are returned. The entry concludes, "There are mentioned fiftye paupers to bee in this towne, but their names and fire hearths not returned".

	POPULATION			COMPTON RETURN		
	1665	1801	1921	Conform.	Papists.	Noncon.
Birtherpe, <i>see</i> Sempringham						
Bitchfield .. .. .	140	95	95	80	—	—
Blankney .. .. .	305	410	600	124	6	3
Bloxham .. .. .	65	81	79	30	—	—
Boothby Graffoe ..	125	174	188	64	6	—
Boothby Pagnell ..	110	100	136	71	—	—
Boultham .. .. .	140	73	—	51	4	1
Bourne .. .. .	535	1664	4310	799	—	8
Cawthorpe .. ..	120					
Dyke .. .. .	125					
Braceborough .. ..	110	148	150	79	—	—
Braceby .. .. .	60 <sup>1</sup>	71	76	44	—	1
Brandon, <i>see</i> Hough						
Brauncewell .. ..	35	30	171	10	—	3
Bridge End, <i>see</i> Horbling						
Broughton, Brant ..	305	567	515	163	—	7
Bulby, <i>see</i> Irnham						
Burton Coggles .. ..	215	219	192	121	—	2
Burton Pedwardine ..	100	94	151	52	—	—
Bytham, Castle .. ..	255	372	470	—	—	—
Counthorpe .. ..	40	35	74	—	—	—
Holywell & Aunby ..	115	99	109	—	—	—
Bytham, Little .. ..	140	189	390	98	—	1
Careby .. .. .	75	65	116	60	—	—
Carlby .. .. .	115	162	129	87	—	1
Carlton le Moorland ..	275	258	243	119	—	6
Carlton Scroop .. ..	120	136	271	57	—	2
Cawthorpe, <i>see</i> Bourne						
Caythorpe .. .. .	290	437	764	189	—	5
Claypole .. .. .	330	486	547	222	—	—
Coleby .. .. .	265	301	352	134	—	—
Colsterworth .. ..	340	649	764	217	—	5
Corby .. .. .	260	436	664	—	—	—
Counthorpe, <i>see</i> Bytham, Castle						
Cranwell .. .. .	80	88	184 <sup>2</sup>	34	2	2
Creeton .. .. .	60	62	72	29	—	—
Culverthorpe, <i>see</i> Haydor						

<sup>1</sup> No return 17 Car. II. This figure is from Hearth Tax 23 Car. II.<sup>2</sup> 1911 Census. The establishment of an aerodrome raised the figure to 2191 in 1921.

	POPULATION			COMPTON RETURN			
	1665	1801	1921	Conform.	Papists.	Noncon.	
Deeping St James ..	890 <sup>1</sup>	1160	1536	717	—	25	
Deeping, Market ..	680 <sup>1</sup>	803	888	427	—	21	
Deeping, West ..	185 <sup>2</sup>	216	287	104	—	—	
Dembleby ..	55	50	52	27	—	—	
Denton ..	345	446	565	239	—	—	
Digby ..	220	242	368	122	—	—	
Doddington ..	85	140	128	92	—	4	
Whisby ..	80	49	99				
Doddington, Dry ..	145	191	131	—	—	—	
Dogdyke, <i>see</i> Billinghay							
Dorrington ..	280	225	410	105	2	12	
Dowsby ..	110	136	219	68	—	—	
Dunsby ..	165	146	260	85	—	—	
Dunston ..	245	279	532	114	4	5	
Dyke, <i>see</i> Bourne							
Eagle ..	210	203	371	59	2	17	
Eagle Hall ..	10 <sup>3</sup>	21	59	—	—	—	
Easton, <i>see</i> Stoke, South							
Edenham ..	230	513	459	289	—	—	
Grimsthorpe ..	125						
Scottlethorpe ..	105						
Evedon ..	85	86	81	45	—	—	
Ewerby ..	345	223	321	167	—	—	
Fenton ..	105	84	82	86	1	1	
Folkingham ..	210	531	405	200	—	—	
Foston ..	215	243	279	134	—	—	
Fulbeck ..	280	397	569	147	8	—	
Gelston, <i>see</i> Hough							
Gonerby, Great ..	350	559	1279	239	—	—	
Gonerby, Little, <i>see</i> Manthorpe							
Graby, <i>see</i> Aslackby							
Greatford ..	105	240	163	171	—	1	
Wilsthorpe ..	95	80	60				
Grimsthorpe, <i>see</i> Edenham							
Gunby ..	115	113	119	64	—	—	

<sup>1</sup> Document torn towards the end of this entry.<sup>2</sup> From the Hearth Tax Return 23 Car. II. The earlier return is badly torn at this entry.<sup>3</sup> No return 17 Car. II. Figures are from the return 23 Car. II.

	POPULATION			COMPTON RETURN			
	1665	1801	1921	Conform.	Papists.	Noncon.	
Haceby .. .. .	60	48	51	31	—	—	
Haconby with Stainfield	205	260	324	149	2	—	
Haddington .. ..	110	93	94	—	—	—	
Hale, Great .. ..	380	404	583	337	—	18	
Hale, Little .. ..	230	223	264				
Hanthorpe, <i>see</i> Morton							
Hanworth, Potter ..	190	303	466	131	—	17	
Harlaxton .. ..	270	297	356	161	—	—	
Harmston .. ..	275	235	301	136	—	2	
Harrowby .. ..	25	51	73 <sup>1</sup>	—	—	—	
Hawthorpe, <i>see</i> Irnham							
Haydor .. .. .	190	199	282	—	—	—	
Culverthorpe .. ..	40	49	81	—	—	—	
Kelby .. .. .	95	71	61	—	—	—	
Heckington .. ..	550	1042	1551	395	—	—	
Heighington, <i>see</i> Washingborough							
Helpringham .. ..	330	518	733	220	—	8	
Holdingham, <i>see</i> Sleaford							
Holywell & Aunby, <i>see</i> Bytham, Castle							
Honington .. ..	115	106	159	—	—	—	
Horbling cum Bridge End	305	387	360	205	—	—	
Hough on the Hill ..	190	385	390	197	12	6	
Brandon .. ..	110						
Gelston .. ..	115						
Hougham .. .. .	130	175	210	228	7	2	
Howell .. .. .	95	75	58	43	—	—	
Humby, Great, <i>see</i> Somerby							
Humby, Little, <i>see</i> Ropsley							
Hungerton, <i>see</i> Wyville							
Hykeham, North <sup>3</sup> ..	195	254	1173	18	—	—	
Hykeham, South <sup>2</sup> ..	80	87	91	106	—	14	
Ingoldsby .. ..	290	254	239	137	—	5	
Irnham .. .. .	115	299	276	81	56	—	
Bulby .. .. .	110						
Hawthorpe .. ..	50						

<sup>1</sup> 1911 figures. An aerodrome was established during the War.

<sup>2</sup> The figures from the Compton Return for North Hykeham seem to belong to South Hykeham and vice versa.

			POPULATION			COMPTON RETURN		
			1665	1801	1921	Conform. Papists.	Noncon.	
Keisby, <i>see</i> Lavington								
Kelby, <i>see</i> Haydor								
Kirkby Green	..	..	125	62	147	46	—	—
Kirkby Laythorpe	..	..	195	160	228	102	—	—
Kirkby Underwood	..	..	155	181	129	104	—	—
Kyme, North	..	..	155	215	514	218	2	4
Kyme, South	..	..	310	292	424			
Langtoft	..	..	320 <sup>1</sup>	386	470	212	—	4
Laughton	..	..	55	29	56	—	—	—
Lavington	..	..	75	159	117	115	—	—
Keisby	..	..	65	66	72			
Osgodby	..	..	35	55	31			
Leadenham	..	..	205	517	611	99	—	2
Leasingham cum Roxholm			210	264	403	98	—	9
Lobthorpe, <i>see</i> Witham,								
North								
Londonthorpe	..	..	115	125	183	95	—	—
Manthorpe & Little								
Gonerby	..	..	240	446	—	—	—	—
Manthorpe, <i>see</i> Witham								
on the Hill								
Marston	..	..	210	326	263	—	—	—
Martin, <i>see</i> Timberland								
Metheringham	..	..	280	536	1447	191	—	14
Morton	..	..	410	603	790	347	—	3
Hanthorpe	..	..	150					
Navenby	..	..	180	479	824	183	—	5
Newton	..	..	120	127	165	74	—	—
Nocton	..	..	175	287	553	127	5	1
Normanton	..	..	90	160	158	801 <i>sic</i>	—	1
Norton Disney	..	..	180	184	175	66	—	2
Osbourneby	..	..	190	343	329	120	—	2
Osgodby, <i>see</i> Lenton								
Pickworth	..	..	145	156	153	—	—	—
Pointon, <i>see</i> Sempringham								
Ponton, Great	..	..	225	411	390	—	—	—
Ponton, Little	..	..	65	102	202	42	4	—
Quarrington	..	..	120	101	1709 <sup>2</sup>	98	—	—

<sup>1</sup> The Hearth Tax Return for 17 Car. II gives 38 names, but that for 23 Car. II records 64. The former return is certainly an error.

<sup>2</sup> Within Sleaford U.D.

			POPULATION			COMPTON RETURN		
			1665	1801	1921	Conform.	Papists.	Noncon.
Rauceby, North ..	..	..	90	150	272	180	—	1
Rauceby, South ..	..	..	150	137	376			
Rippingale ..	..	..	250	488	435	220	—	—
Ropsley ..	..	..	190	321	519	201	—	—
Little Humby ..	..	..	70	81	107			
Rowston ..	..	..	60	100	202	35	—	—
Roxholm, <i>see</i> Leasingham								
Ruskington ..	..	..	325	483	1101	169	—	2
Sapperton ..	..	..	40	79	46	37	—	—
Scarle, North ..	..	..	185	303	448	78	—	10
Scopwick ..	..	..	170	183	351 <sup>1</sup>	104	7	3
Scottlethorpe, <i>see</i> Edenham								
Scredington ..	..	..	175	222	321	65	—	—
Sedgebrook ..	..	..	175	207	202	91	—	—
Sempringham ..	..	..	15	34	112	150	—	2
Birthorpe ..	..	..	55	58	46			
Pointon ..	..	..	220	266	405			
Skellingthorpe ..	..	..	225	193	624	49	—	5
Skillington ..	..	..	175	244	343	53	—	—
Skinnand & Swinethorpe			45	27	69	—	—	—
Sleaford ..	..	..	600	1483	3984	576	—	6
Holdingham ..	..	..	70	113	101			
Sleaford, Old ..	..	..	65	126	896			
Somerby ..	..	..	150	194	185	102	—	—
Great Humby ..	..	..	15					
Spanby ..	..	..	25	59	84	<i>With</i> Swayton		
Spittlegate ..	..	..	170	488	399	—	—	—
Stainby ..	..	..	95	108	117	83	—	—
Stainfield, <i>see</i> Haconby								
Stamford ..	..	..	1410 <sup>2</sup>	4022	9882	1577	—	17
Stapleford ..	..	..	165	175	164	50	—	3
Stoke, North ..	..	..	90	114	174	—	—	—
Stoke, South ..	..	..	105	51	126	—	—	—
Easton ..	..	..	120	154	134	—	—	—
Stow Green, <i>see</i>								
Threckingham								
Stowe ..	..	..	30	24	19	17	—	1

<sup>1</sup> 1911 census. An aerodrome was established during the War.

<sup>2</sup> 282 names are given. The return makes no mention of those exempt; hence the figures are likely to be too low.

			POPULATION			COMPTON RETURN		
			1665	1801	1921	Conform.	Papists.	Noncon.
Stragglethorpe	..	..	70	79	86	35	—	2
Stroxtan	..	..	30	95	85	—	—	—
Stubton	..	..	110	118	136	62	—	—
Swarby	..	..	130	108	141	73	—	—
Swaton	..	..	190	176	250	83	—	12
Swayfield	..	..	170	173	173	117	—	—
Swinderby	..	..	225	254	427	107	—	4
Swinethorpe, <i>see</i> Skinnand								
Swinstead	..	..	240	306	276	144	—	—
Syston	..	..	135	137	172	71	2	—
Tallington	..	..	185	236	236	140	—	2
Thorpe on the Hill	..	..	145	190	255	86	—	4
Thorpe Tilney, <i>see</i> Timberland								
Threckingham	..	..	115	179	144 <sup>1</sup>	93	2	—
Stow Green	..	..	15					
Thurlby, near Bourne	..	..	465	508	762	226	—	9
Thurlby, near Lincoln	..	..	95	78	97	55	—	—
Timberland	..	..	260	358	430	266	—	—
Martin	..	..	285	303	667			
Thorpe Tilney	..	..	75	90	126			
Toft and Lound, <i>see</i> Witham on the Hill								
Uffington	..	..	285	456	357	200	—	—
Walcot, near Folkingham	..	..	100	127	134	60	—	—
Walcot, <i>see</i> Billingham								
Washingborough	..	..	290	324	770	274	1	2
Heighington	..	..	225	321	689			
Welbourn	..	..	245	360	524	146	—	9
Welby	..	..	175	236	312	94	—	9
Wellingore	..	..	270	559	538	240	2	1
Westborough <sup>2</sup>	..	..	185	181	132	259	—	1
Whisby, <i>see</i> Doddington								
Willoughby, Scott	..	..	15	9	39	5	—	—
Willoughby, Silk	..	..	180	225	222	103	—	—
Wilsford	..	..	165	251	595	89	—	1
Wilsthorpe, <i>see</i> Greatford								

<sup>1</sup> 1911 figures. A Convention made the 1921 figures unreliable.<sup>2</sup> Compton Return includes Dry Doddington.

		POPULATION			COMPTON RETURN		
		1665	1801	1921	Conform.	Papists.	Noncon.
Witham, North ..	..	95	186	149	71	—	1
Lobthorpe ..	..	15					
Witham on the Hill ..	..	275	162	189	314	3	—
Manthorpe ..	..	95	95	74			
Toft & Lound ..	..	200	196	125			
Witham, South ..	..	230	343	446	132	—	1
Woolthorpe ..	..	200	372	569	148	—	—
Wyville & Hungerton ..	..	15	89	131	—	—	—

## APPENDIX B

### JUSTICES OF THE PEACE, KESTEVEN, 1660-1685

\* denotes that the justice sat on the bench.

(\*) denotes cancellation of entry.

dd denotes that the justice was dead.

For dating the *Libri Pacis*, see Professor B. H. Putman's *Justices of the Peace from 1558-1668*; (*Bull. Inst. Hist. Research* iv, 155-6). The references are:

1660-1: P.R.O., Petty Bag Office, [C  $\frac{220}{9/4}$

c. 1663: do. do. C193/12.

1680: Oxford, All Souls' Library, W.W. i, 23. Mr R. H. Gretton most kindly made the transcript. The "honorary" justices cannot be inserted with exactness, the list of them commencing Prince Rupert, etc.

c. 1682-3: P.R.O., Petty Bag Office, C 193/12.

1685 do. do. do.

Justices not recorded in the *Libri Pacis* but whose names occur in the Q.S. Records, have the dates during which they sat on the Bench inserted in the last column.

	1660-1	c. 1663	1680	c. 1682-3	1685
Ailton, Christopher					*
Albemarle, Christopher					
duke of .. ..			*	*	*
Albemarle, George duke					
of .. ..	*	*			
Anglesey, Arthur earl of				(*)	
Archer, John .. ..	(*)				
Arlington, Henry earl of				*	
Armyn, Sir Michael ..	*	*			
Atkyns, Sir Edward ..	*	*	*		*
Aylesbury, Robert, earl of					(*)
,, Thomas earl of					*
Barnardiston, Sir Thomas					*
Bates, Charles .. ..	*	*			
Bath, John earl of ..				*	*
Beaufort, Henry duke of				*	*
Beresford, Christopher			*	*	*
Bertie, Charles .. ..			*	*	*
,, Richard .. ..			*	*	*
Blythe, William ..	*	*			
Bridgwater, John earl of				*	*
Browne, Edward ..					

	1660-1	c. 1663	1680	c. 1682-3	1685	
Brownlow, Sir John ..	*	*	*	*	*	
„ Richard ..	*	*				
„ Sir William	*	*				
Bruce, Thomas lord ..			*	*	(*)	
Buck, Sir John ..	*	*				
„ Sir William ..			*		(*)	
Burrell, Redmayne ..	*	*	*	(*)dd		
Bury, Gilbert .. ..						1690-95
Canterbury, William archbp. of .. ..				*	*	
Carre, Sir Robert ..			*	(*)		
Castleton, George viscount	*	*	*	*	*	
Cawdron, Robert ..						1689-95
Chicheley, Sir Thomas ..				*	*	
Clapham, Sir Christopher	*	*	*	*	*	
Clarendon, Edward earl of	*	*				
„ Henry earl of					*	
Claypoole, Adam ..		*				
Conway, Edward earl of				(*)		
Coventry, Henry ..				*	*	
Cust, Sir Pury .. ..						1691-94
„ Sir Richard ..				(*)		
Dacres, Lord Francis ..	(*)					
Dallowe, Phillip ..	*	*				
Dallyson, Sir Charles	*	*				
Deligne, Daniel ..						1691-95
„ Erasmus ..	*	*	*	*	*	
Disney, Molineux ..	*	*				
Dolbein, Sir William ..				(*)		
Dymock, Sir Charles ..	*	*	*	* <sup>1</sup>	* <sup>1</sup>	
„ Charles ..						1689-92
Earle, Erasmus ..	(*)					
„ Sir Richard ..	*	*				
Ellis, Thomas, of Wellingore .. ..	*	*				
Ellis, William .. ..	*	*		(*)		
Ernle, Sir John .. ..				*	*	
Essex, Arthur earl of ..				(*)		
Exeter, John earl of ..	*	*				

<sup>1</sup> Sir Charles Dymock, bart.

	1660-1	c. 1663	1680	c. 1682-3	1685	
Fane, Sir Francis ..	*	*	*	*	*	
Farmer, Thomas ..				(*)		
Fauconberge, Thomas						
viscount .. ..				*	*	
Finch, Daniel .. ..				(*)		
,, Heneage .. ..				*	(*)	
,, Heneage lord ..				(*)		
Fisher, Robert .. ..				*	*	
Fox, Charles .. ..				(*)dd		
Fuller, Samuel, S.T.B. ..			*	*	*	
Godolphin, Sidney .. ..				*	* <sup>1</sup>	
Goodhall, William, of						
Holywell .. ..			*	*	*	
Gregory, Sir William ..				(*)		
Guildford, Francis lord				*		
Halifax, George marquis						
of .. ..				*	(*)	
Harrington, Thomas		*	*	*	*	
Hatcher, John .. ..	*	*				
,, Thomas .. ..	*	*				
Haughton, Gilbert lord	*	*				
Hauford, Charles .. ..						1691-94
Hawford, William .. ..			*	(*)		
Herbert, Sir Edward ..					*	
Heron, Sir Henry .. ..			*	*	*	
Hobson, John .. ..						1674-76
Holloway, Richard .. ..				*	*	
Howell, William, LL.D. .			*	(*)		
Hussey, Sir Charles ..	*	*				
,, Sir Edward .. ..				*	*	
,, Sir Thomas .. ..	*	*	*	*	*	
Hutton, Charles .. ..						1691
Hyde, Laurence .. ..				(*)		
,, William .. ..	*	*	*	*	*	
,, William, jun. ..						1690-92
Irby, Sir Anthony .. ..	*	*				
Jeffereys, George lord					*	
Jenkins, Sir Leolin ..				*		
King, Edward .. ..	*	(*)		*	*	

<sup>1</sup> Lord Sidney Godolphin.

1660-1 c. 1663 1680 c. 1682-3 1685

Lauderdale, John duke of					(*)	
Lincoln, Theophilus earl of .. .. .	*	*				
Lindsey, Montague earl of	*	*				
„ Robert earl of				*	*	
Lister, William .. .. .			*	*	*	
London, Henry bishop of				*	(*)	
Manchester, Edward earl of .. .. .	*	*				
Markham, Sir Robert ..	*	*	*	*	*	
Meeres, Sir Thomas ..	*	*	*	*	*	
Middleton, Charles earl of						*
Monnson, Sir John ..	*	*	*	*	*	
„ Sir John, K.B.	*	*				
Monmouth, James duke of .. .. .					(*)	
Montague, William ..						(*)
Morsom, John .. .. .	(*)					
Mulgrave, John earl of						*
Neale, Noah .. .. .						1689-95
Nevill, Sir Christopher			*	*	*	
Newcastle, Henry duke of				*	*	
Newton, John ..	*	*	*	*	* <sup>1</sup>	
Norfolk, Henry duke of						*
North, Sir Francis ..					(*)	
Nottingham, Daniel earl of .. .. .				*	*	
Oldfield, Sir John ..			*	*	*	
Ormond, James duke of	*	*		*	*	
Ossory, Thomas earl of					(*)dd	
Palmer, Sir Lewis ..			*	*	*	
Payne, Edward ..			*	*		
Pell, Richard .. .. .			*	*	*	
Pierpoint, Robert ..	*	*	*		(*)dd	
„ William ..	*	*				
Pownall, Thomas ..						1694
Powys, Sir Thomas ..						*
Pulleyn, John, S.T.B. ..	*	*				
Radnor, John earl of ..				*		

<sup>1</sup> Sir John Newton, bart.

	1660-1	c. 1663	1680	c. 1682-3	1685	
Rhodes, Daniel .. ..						1682
Roberts, John lord ..	*	*				
Rochester, Laurence earl of .. ..				*	*	
Rossiter, Sir Edward	*	*				
Rothwell, Sir Richard ..			*	*	*	
Rupert, Prince .. ..				(*)		
Rutland, John earl of ..	*	*				
Salisbury, James earl of				(*)		
Sanders, John .. ..	*	*	*	*	*	
Savile, William .. ..	*	*		(*)dd		
Sawyer, Sir Robert ..				*	*	
Scroope, Sir Adrian ..	*	*				
„ St Leger, of Louth .. ..			*	*	*	
Seymour, Edward ..				*	*	
Sherrard, George ..	*	*				
Shuttleworth, Thomas				*	*	
Skipwith, Charles ..		*				
„ Edward ..	*	*				
„ Thomas ..	*	*	* 1	*	*	
Southampton, Thomas earl of .. ..	*	*				
Streete, Sir Thomas ..			*	*		
Sunderland, Robert earl of .. ..				*	*	
Syler, Edmund .. ..						1674-75
Temple, Sir William ..				(*)		
Thorell, Anthony, of Marston .. ..	*	*				
Thornton, Cyprian ..						1689-95
Thorold, John .. ..				*	*	
Thorold, Sir William ..	*	*	*	*	*	
Tigh, Lister .. ..			*	*	*	
Tirwhitt, Sir Philip ..	*	*				
Trollope, Sir William ..		*				
„ William ..			*	*	*	
Turner, Sir Christopher	(*)					
„ Edward <sup>2</sup> ..	*	*	*	* 2	* 3	

<sup>1</sup> Sir Thomas Skipwith.<sup>2</sup> Sir Edward Turner, knight.

	1660-1	c. 1663	1680	c. 1682-3	1685
Twisden, Sir Thomas ..		(*)			
Fyrrrell, Sir Thomas ..		*			
Webb, Edward .. ..			*	*	*
White, John .. ..	*	†			
Widdrington, William lord .. ..	*	*			
Wigmore, Daniel ..			*	*	*
Willoughby de Eresby, Robert lord ..	*	*	*	*	*
Willoughby of Parham, Francis lord .. ..	*	*			
Winchester, Charles marquis of .. ..				*	*
Windham, Sir Hugh ..			(*)		
„  Wadham .. ..		(*)			
Winfield, Francis ..	*	†			
Worcester, Henry marquis of .. ..				(*)	
Yorke, Sir William ..				(*)	

KESTEVEN  
Proceedings in Quarter Sessions  
BOOK I

*Page 1.*  
Nathan'll Smyth. 1675.

FROM MICH'AS 1674 : TO MIDSOMER 1683.

*Page 2 [blank].*

*Page 3.*

LINCOLN  
KESTEVEN  
FOLKINGHAM  
MICHAELMAS  
1674

GENERALIS SESSIO PACIS DOMINI REGIS TENTA  
APUD FOLKINGHAM IN PARTIBUS DE KESTEVEN  
IN COMITATU LINCOLN' QUINTO DIE OCTOBRI  
ANNO REGNI DICTI DOMINI NOSTRI CAROLI  
SECUNDI DEI GRATIA ANGLIE SCOTIE FRANCIE  
ET HIBERNIE REGIS FIDEI DEFENSORIS &C.  
VICESIMO SEXTO CORAM WILLELMO TROLLOPE  
BARONETTO HENRICO HERON MILITE BALNEI  
FRANCO WINGFIELD THOMA HARINGTON  
RICARDO CUST JOHANNE HOBSON ET EDMUNDO  
SYLER ARMIGERIS CUSTODIBUS PACIS ET  
JUSTICIARIIS DICTI DOMINI REGIS AD PACEM IN  
PARTIBUS ET COMITATU PREDICTIS CONSERVANDUM  
NECNON AD DIVERSA FELONIAS TRANSGRESSIONES  
ET ALIA MALEFACTA IN PARTIBUS ET COMITATU  
PREDICTIS PERPETRATA AUDIENDUM ET  
TERMINANDUM ASSIGNATIS &C.

INDICTAMENTA ET PRESENTAMENTA.

- 1 Johannes Burbidge de Bourne quia primo die Septembris ultimo preterito et diversis aliis diebus et vicibus tam antea quam postea apud Bourne predictam et alios locos separales perdices (anglice partridges) cum retibus et aliis enginis cepit et occidit non habens terras et tenementa per annum secundum statutum &c.
- 2 Johannes Garland de Aslacby generosus quia primo die Octobris jam ultimo preterito apud Aslacby predictam quendam communem pontem pedestrem ducentem ad ecclesiam parochialem de Aslacby predicta evulsit (anglice pluckt up) et removit per quod communem viam obstruxit ad graue nocumentum legiorum populorum et contra formam &c.

Page 4.

- 3 Johannes Thistleton de West Deeping quia die capcionis hujus inquisitionis apud West Deeping predictam quandam pecunie summam legitime super eum taxatam constabulario ibidem solvere neglexit &c.
- 4 Georgius Allam de Barholm' quia xxviii die Augusti ultimo preterito apud Barholme predictam unum volucem vocat' anglice a turkey cocke ad ualenciam *xd.* de bonis et catallis cujusdam Anne Trollope vidue felonice fuit [*sic*] cepit et asportavit contra pacem &c. (F[elonia]<sup>m</sup>).
- 5 Johannes Patchett de Bitchfeild quia primo die xxi die Augusti [*sic*] anno regni Caroli 2. Regis 26 apud Bitchfeild predictam existens obligatus ad pacem servandam & ad se bene gerendum &c. per Deum omnipotentem et per Dei sanguinem profane juravit et quod communis est jurator et blasphemator Dei contra formam &c.
- 6 Idem Johannes Patchet de Bitchfeild, et 7. Willelmus Stephenson de Osgodby—quia die existentes jurati super constabulariorum juratam de Beltisloe a sociis suis juratoribus se absentaverunt tempore veredicti perficiendi &c.
- 8 Johannes Sibsey de Syston generosus, 9. Anna uxor eius, 10. Humphredus Fletcher de Bourne, 11. Willelmus Galloway de eadem, 12. Zacharias Walbancks de Hacconby, [et] 13. uxor Roberti Newcombe de eadem—quia xiiii die Septembris ultimo preterito et per duos alios dies dominicos extunc proximos ab ecclesiis suis parochialibus seipos [*sic*] absentaverunt contra formam statuti &c.
- 14 Johannes Howes de Baston pro insultu et affraia super quandam Janam Boadman &c.
- 15 Anos Chessledine de Bitchfeild pro insultu super Johannem Paget.

Page 5.

#### ARRAINMENTA.

Willelmus Ogle de Uffington, Elizabetha Ogle de eadem, Willelmus Portwood de Deep[ing] St Jac[obi], [et] Robertus Webster de Langtofte—placitaverunt non culpabiles. Juratores dicunt quod culpabiles. Flagellantur.

Symon Tebb de Swinestead confitetur feloniam & flagellatur. Johannes Pagett de Bitchfeild placitavit non culpabilis et jurator [*sic*] dicunt quod non est culpabilis nec fugam fecit. Ideo exoneratur.

#### EXITUS.

\* De Roberto Harriman de Boothby xs.

\* De Willelmo Stephenson de Osgodby xs.

#### FINES.

De Ricardo Brigges de Aunsby iiis., Willelmo Asdall de Tofte xviiiis., Willelmo Bradford de Gunby xiid., Willelmo Almond de Harmthorpe xiid., [et] Thoma Heffeild de Stenfeild iis. *vid.*

Page 6.

SLEAFORD  
MICHAELMAS  
1674

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD 6 OCTOBER 1674, BEFORE FRANCIS  
FANE AND HENRY HERON KNIGHTS OF THE  
BATH, AND OTHERS.

INDICTAMENTA &c.

- 1 Willelmus Applewhite de Hale parva, [et] 2. Franciscus Sharpe de Ewarby—quia vicesimo die Junii ultimo preterito et diversis aliis diebus & vicibus tam antea quam postea apud locos predictos vigilias suas tam nocturnas quam diurnas perficere neglexerunt contra &c.
- 3 Thomas Rudlidge de Anwicke quia primo die Octobris ultimo preterito apud Anwicke predictam clausam pasture cujusdam Willelmi Berrisford vi & armis fregit & intravit et herbam suam ibidem crescentem cum quibusdam averiis conculcavit et consumpsit contra pacem &c.
- 4 Johannes Espin de Washingburgh quia ut communis parcator (anglice pinder) eiusdem ville officium suum neglexit et separalia bona [*sic*] inhabitant' dampnum faciend' capta sine satisfactione ad largum ire permisit contra &c.
- 5 Symon Waring de Howell et residui 6. Inhabitantes eiusdem ville—quia communis regia via ducent' [*sic*] a villa de Howell usque ad villam de Heckington est valde defectiva in eorum defaulto &c.

Page 7.

- 7 Idem Symon Warren et 8. Inhabitantes predicti quia die capcionis &c. pons quidam publicus jacent' [*sic*] super rivulum vocatum Howell Becke est valde defectiva [*sic*] in defaulto predictorum contra &c.
- 9 Idem Symon Warren et 10. Inhabitantes predicti quia die capcionis &c. predictus rivulus vocatus Howell Becke est defectiva pro escoriacione in defaulto predictorum contra &c.

INFORMACIONES.

- 11 Nathaniel Whitehead de Old Sleaford pro arte plasticatoris (anglice of a plaisterer) non apprenticiatus per spacium septem annorum &c., 12 mensibus—ad sectam Roberti Emison.
- 12 Idem Nathaniel pro arte laterarii (anglice of a brick layer) per spacium predictum ad sectam eiusdem Roberti.
- 13 Johannes Crosby de Walcott pro ingrossando catalla viz. 2 boues colore redd pretii 5*li*. 3 Julii apud Lincoln' ad sectam Edmundi Hobbs informatoris &c.
- 14 Willelmus Trentham de Potter Hanworth pro ingrossando 2 boues apud Horncastle (redd flect) pretii 8*li*. 3 Julii.
- 15 Johannes Smyth de Dirrington pro ingrossando 2 juuencos red flect pretii 5*li*. 3 Julii apud Sleaford.

Page 8.

ARRAINMENTA.

Edwardus Costaw junior de Marston [et] Robertus Harvey de eadem. Confitentur felonias et uterque flagellantur [sic] apud Sleaford.

RECOGNITIO CAPTA IN CURIA.

Micha. Stennitt junior de Ewerby tenetur domino Regi in 40*li.*, Micha. Stennitt senior de eadem in 20*li.*, [et] Thomas Holland de eadem in 20*li.*—ad comparandum pro bastardia &c.

EXITUS.

\* De Roberto Norman de Bloxholme xs.

FINES nulli.

ORDERS.

Ordered that a warrant of the good behaviour yssue out agt Edward Bee of Hough.

Ordered that Captaine John Todd have from the Treasurer of the maymed soldiers 40s. for his present releife and a pention of 40s. per annum for the future to beginne at this session.

Page 9.

Ordered that Thomas Andrew of Heckington have 40s. for present releife.

Ordered that Elizabeth Bradley widow of Richard Bradly have xs. for present releife.

Thomas Cropper de Anwicke composuit cum Edmundo Hobbs informatore qui tam &c. pro xs. Ideo &c. (To be estr[eated]<sup>m</sup>).

Page 10.

Willelmus Oagle de Uffington [et] Elizabetha Oagle de eadem—recognitores. Johannes Allingham de eadem [et] Franciscus Newnan de eadem—manuaptores.

Willelmus Portwood de Deeping Sancti Jacobi 4s. 4*d.*, Robertum [sic] Webster de Langtofte 4s. 4*d.*, [et] Symon Tebbe de Elsthorpe pro consimile 4s. 4*d.*

Page 11.

LINCOLN. KESTEVEN. FOLKINGHAM CHRISTMAS 1674.  
PROCESSUS PACIS DOMINI REGIS.

VENIRE FACIAS. MICHAELMAS '74.

1 Johannes Burbidge de Bourne, killing partridges.

2 \* Johannes Garland de Aslackby, a bridge. Finis iis. vid. solutus vicecomiti. (Distringas<sup>m</sup>).

3 \* Johannes Thistleton de West Deeping, constables assessment. Agreed.

4 \* Georgius Allam de Barholme, felony. A turkey. (F[elonia]<sup>m</sup>).

5 \* Johannes Patchett de Bitchfeild, swearing, Bo. ges. Fin' is. solutus vicecomiti.

- 6 \* Idem Johannes Patchett, [et] 7. \* Willelmus Stephenson de Osgodby—juratores absentes a sociis. Fin' 2s. 6d.  
 8 Johannes Sybsey de Syson generosus, 9. Anna uxor eius, 10. \* Humphredus Fletcher de Bourne (fine remitted<sup>1</sup>), 11. Willelmus Galloway de eadem, 12. Zacharias Walbancks de Hacconby, [et] 13. Uxor Roberti Newcome de eadem—3 Sundays.  
 + Johannes Howes de Baston. Assaultum uersus Bodman.

## SCIRE FACIAS.

- \* Robertus Harriman de Boothby. Ex[oneratus].  
 \* Willelmus Stephenson de Osgodby. Ex[oneratus].  
 \* Georgius Allam de Barholme recog'. Thomas Heffeld de Stenfeild inform.  
 × Alicia Firkin de Bitchfeild recog'.  
 × Gilbert Wilson de eadem [et] × Thomas Firkin de eadem, manucaptors.  
 × Jo. Collingwood de eadem ad prosequendum.

Page 12.

## CAPIAS MIDSUMMER '74.

- 10 \* Elizabetha Sanderson de Uffington, 11. \* Christopherus Sanderson de eadem, [et] 12. \* Susanna uxor eius—Communes Inmates.  
 13 Edwardus Bingham de Peterburgh, 14. Uxor eiusdem Edwardi Bingham, [et] 15. Filia eiusdem Edwardi—ingr[ossing].  
 17 \* Jacobus Hardwicke de Bourne, pound breaking.  
 18 \* Henricum [sic] Baxter de eadem, ingr[ossatio] pisarum et fabarum. Fin' 5s. sol. vic.  
 20 \* Ricardum [sic] Everitt de Welby 5s. 9d. [et] 21. \* Johannes Sewell de eadem 12s. 1d.—Assessmentum Ricardo Watson. Sol. Assess. Exoneratus.  
 —Willelmus Watson de Baston husbandman.  
 31 Johannes Sympson de Corby, 32. Ricardus Brookes de eadem, 33. Johannes Thimbleby de Irnham generosus, 34. Johannes Crunckhorn de eadem, 35. Edwardum [sic] Sympson de eadem, 36. Thomas Dent de eadem, 37. Johannes Newcomb de eadem, 38. Robertus Dent de eadem, 39. Jacobus Walbancks de Hawthorp, 40. Elizabetha Arnold de eadem, 41. Elizabetha Willows de eadem, 42. Johannes Lewin de Bulby, 43. Jeremias Bartie de Lound generosus, 44. Susanna Cope de eadem, 45. Ursula Thompkins, 46. Thomas Hare de Bytham parva, 47. Thomas Gregge de eadem [et] 48. Ricardus Parkinson de Westby—3 menses.

Page 13.

## PLURIES CAPIAS CHRISTMAS '73.

- 4 Vincent Harfoot de Deeping St Jacobi equ: N. Measure.  
 5 — Johannes Johnson de Uffington, inmates. fin' xiiid. solutus vicecomiti.  
 6 \* Robertus White de Kirkby Underwood, pound breaking.  
 32 \* Robertus Towers de Swayton, [et] 33. \* Jonas Drewry de eadem—3 Sundays simile &c. finis solutus. Clipsham.

## EXIGENT MIDSUMMER '73.

- 2 Johannes Johnson de Uffington, [et] 3. Anna uxor eius—  
pound breaking. fin'.  
4 Johannes Ashley de West Deeping, ale house disordered.

## EASTER '73.

- 1 \* Elizabeth Sanderson de Uffington, inmates. fin' vid.  
3 \* Johannes Tigh senior de Deeping St Jacobi, vigil'.  
10 — Henricus Bayley de Castle Bytham, shooting hares.  
12 Johannes Crawthorne de Thurlby, insultum super Plunger.  
(run away<sup>m</sup>).  
13 — Carolus Snart de Market Deeping pro arte non &c.  
\* Josephus Bryan de Swayton, Johannes Bryan de eadem,  
[et] Johannes Creacy de eadem—in xli. quilibet ad placitandum (submitted, fin' 5s. solutus vicecomiti a pecece<sup>l</sup>).  
Johannes Burrows de Markett Deeping in xli.  
Robertus Cattell de eadem, [et] Robertus Stretten de James  
[Deeping]—xli. apeece ad comparandum proximam sessionem.

Page 14.

## SCIRE FACIAS.

- \* Grace Faulkner de Heckington prin:—Georgius Lindsey de eadem, [et] — Edwardus Todd de eadem, manucaptores, 12s. rec. 3s.  
Edwardus Foster de Hale magna, [et] Johannes Tennant de eadem, manucaptores pro Ashton, 12s.  
Thomas Clarke de Sleaford nova.  
Johannes Pell de eadem.  
Richardus Leach de eadem.

Page 15.

## SLEAFORD CHRISTMAS 1674.

## PROCESSUS PACIS DOMINI REGIS.

## VENIRE FACIAS MICHAELMAS '74.

- 1 Willelmus Ablewhite de Hale parva vigil'.  
2 \* Franciscus Sharpley de Ewerby, fin' remitted. (Gratis<sup>m</sup>).  
3 \* Thomas Rudlidge de Anwick transgressio, fin' remitted.  
4 \* Johannes Espin de Washingbrough, neglexit officium Pinder.  
5 — Symon Waring de Howell et 6. Inhabitantes de eadem—  
communi via, 7. — Idem Symon Waring, [et] 8. Idem inhabitantes—pons publicus super Howell Becke,  
9. — Idem Symon Waring, [et] 10. Idem inhabitantes—  
rivulus defectivus pro escoriacione—comparuerunt per P. Shore.

## INFORMACIONES.

- 11 — Nathaniel Whitehead de Old Sleaford pro arte (non culpabilis per Featley ve: fa :d) (comparuit<sup>m</sup>), [et] 12. — Idem Nathaniel Whitehead pro consimile (non culpabilis<sup>l</sup>) (similis<sup>m</sup>) —ad sectam Emison.  
13 — Johannes Crosby de Walcott (comparuit petit licenciam<sup>l</sup>) (comparuit<sup>m</sup>), 14. Willelmus Trentham de Potter Hanworth (mortuus<sup>m</sup>), [et] 15. — Johannes Smyth de Dirington (petit

licenciam ad comparendum<sup>1</sup>) (comparuit<sup>m</sup>)—pro ingrossando catalla ad sectam Hobbs.

CAPIAS MIDSUMMER '74.

- 1 Thomas Parker de Scawpwicke, ingrossing corne, 2. Idem Thomas Parker, [?similiter] super terram, 3. = Johannes Petchell de Walcott pro ingrossando catalla, petit licenciam, (comparuit<sup>m</sup>), [et] 4. — Johannes Crosby de eadem pro ingrossando catalla, petit licenciam—ad sectam eiusdem.

Page 16.

CAPIAS MIDSUMMER 1674.

- 1 Ricardus Pridgeon de Wellingore insultum super Johannem Foster constabularium.
- 2 \* Robertus Worth de Hougham. Def. stat. sess.
- 5 Willelmus Cliffe de North Scarle vadia Ro. Stamper pro ser. com. (mortuus<sup>m</sup>).
- 6 — Willelmus Pickworth de Helpringham, 7. Johannes Walcott de eadem, 8. Margerea Carnell de Hale Magna, 9. Thomas Pryor de eadem, 10. Thomas Hooton de Hale Parva, 11. Ricardus Clarke de Nocton, 12. Francesca Howard de Donston, 13. Bridgett Winter de eadem, 14. Robertus Warriner de eadem, 15. Willelmus Webster de eadem, [et] 16. Willelmus Woods de Blanckney—3 Sundayes.

ALIAS CAPIAS EASTER '73.

- 12 Robertus Cox de Kelby, 13. Johannes Cox senior de eadem, 15. Henricus Hitchcocke de Ingoldby, [et] 16. Johannes Storey junior de eadem—3 Sundayes.

PLURIES CAPIAS CHRISTMAS '73.

- 1 Johannes Yerburgh de Newarke M : D : *lii*. 8s. assessment Awburne.
- 2 Robertus Colby de Walcott 2s., 3. Symon Dixon de eadem 1s. 8*d.*, [et] 4. Robertus Maure de eadem 8*d.*—assessment.
- 11 Sr Will. Thorold de Hough, [et] 12. Georgius Sympson de eadem—3 months recusantes.

Page 17.

EXIGENT MICHAELMAS '73.

- 1 Georgius Saule de Ewerby. resceu bon' Stray Green Hecking [*sic*].
- 2 Abrahamus Craven de Blanckney insultum super A. Winter.

EXIGENT MIDSUMMER '73.

- 16 — Thomas Covell de Hale Parva pro ingrossando corne ad sectam M. Allen. (Comparuit per Shore<sup>m</sup>). (non culpabilis ve : fa : aquard<sup>1</sup>).
- 22 + Mr Roadsby de Lincoln via irreparata. (Invener' pro def<sup>1</sup>).

Page 18 [*blank*].

Page 19.

LINCOLNE  
KESTEVEN  
FOLKINGHAM  
CHRISTMAS  
1674

GENERAL SESSION OF THE PEACE, HELD AT  
FOLKINGHAM 11 JANUARY 1674-5, BEFORE  
FRANCIS WINGFIELD, THOMAS HARRINGTON,  
LISTER TIGH, AND JOHN HOBSON ESQUIRES.

INDICTAMENTA.

- 1 Ricardus Cumbrill de Corby, 2. Henricus Christian de eadem, 3. Robertus Foster de eadem, 4. Robertus Day de eadem, 5. Ricardus Beecrofte de eadem, 6. Ricardus Kirke de eadem, 7. Christopherus Sharpe de eadem, 8. Johannes Cooke de eadem, 9. Willelmus Dickons de eadem, 10. Henricus North de eadem, 11. Robertus Pateman de eadem, 12. Robertus Wing de eadem, 13. Edwardus Cocke de eadem, 14. Thomas Sansom de eadem, & 15. Thomas Dawson de eadem—quia ipsi cum multis aliis malefactoribus ignotis 6<sup>o</sup> die Octobris ult' pret' apud Corby predictam vi & armis seipsos riotose routose & illicite assemblaverunt &c. & in & super quendam Johannem Gray riotose &c. insultum & affraiam fecerunt & dictum Johannem Gray ad tunc &c. verberauerunt vulneraverunt & maletractaverunt contra pacem &c. necnon contra formam statuti &c.
- 16 Ricardus Watson de Welby quia ipse existens supervisor altorum regiarum viarum ibidem 1<sup>o</sup> die Septembris ult' pret' apud Welby predictam officium suum in reparando & emendendo vias predictas neglexit &c. ad graue noeumentum inhabitantium ac contra formam &c. (distringas<sup>m</sup>).
- 17 Johannes Adcocke de Harmethorpe ingross' 1 quarter brasei pretii 32s. &c.

Page 20.

- 18 Thomas Measure de Markett Deeping pro arte tonsoris 11 mensibus ad sectam Edmundi Hobbe qui tam &c.
- 19 Johannes Hubbert de Uffington quia decimo die Septembris ult' pret' vigilias suas diurnas perficere neglexit contra formam statuti &c.
- 20 Samuel Tayler de Tallington, 21. [blank] uxor eius de eadem, 22. Symon Pecke de Thurlby & uxor, 23. Johannes Gilbert de Aslackby, 24. Henricus Law de West Deeping generosus, 25. Thomas Knott de Morton, 26. Vidua Spridgeon de eadem, 27. Franciscus Petchell de Welby, 28. Henricus Howitt de eadem, [et] 29. Thomas Petchell de eadem—3 dies dominicos.
- 30 Thomas Head de South Wytham, 31. Johannes Hopkins de eadem, 32. Maria uxor Thome Ingelow de eadem, 33. Maria Pettiforth de eadem, 34. Johannes Broxholme de eadem, 35. Robertus Clarke de Bulby, 36. Thomas Walbanks de Hawthorpe, 37. Johannes Speet de Burton Coggles, [et] 38. Radulphus Hare de Bytham Parva—(3 menses<sup>e</sup>) 3 dies dominicos.

- 39 Dorothea Cumberill de Corby *1li. 2s. vadia cuiusdam Johannis Bayley detinuit &c.*

Page 21.

#### ARRAINMENTA.

Georgius Allam de Barholme super arrainmentum suum placitavit non culpabilis et posuit se: Juratores dicunt quod non culpabilis nec fugam fecit, exoneratus.  
Ricardus Leason de Threckingham super arrainmentum suum placitavit non culpabilis et posuit se. Juratores dicunt quod culpabilis est ad valenciam *9d.* nulla habet catalla, flagellatur.

#### FINES.

De Johanne Howes de Baston pro quodam fine soluto vicecomiti in curia *vs.*  
De Anna Howes uxor Johannis Howes pro consimile soluto vicecomiti *vs.*  
De Johanne Butterey de Dunsby pro consimile soluto vicecomiti quia non comparuit ad inquirendum *5s.*

#### EXITUS Nulli.

#### ORDERS.

Ordered that Humphry Faulkner de Stamford haue *xxs.* paid him by the treasurer of the maymed soldiers for his present releife.  
Ordered that Margery Baxter be found w<sup>th</sup> worke by by [*sic*] the overseers of the poore of Hayesby or that they finde her sufficient harbour.

Page 22.

Thomas Measure de Deeping Markett pro arte tonsoris *11 mensibus* ad sectam Edmundi Hobb qui tam &c.  
W<sup>m</sup> Crayle de Dirrington.

Page 23.

LINCOLNE  
KESTEVEN  
SLEAFORD  
CHRISTMAS  
1674

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD 12 JANUARY 1674-5, BEFORE FRANCIS  
FANE AND HENRY HERON, KNIGHTS OF THE  
BATH, FRANCIS WINGFEILD, WILLIAM SAVILE,  
LISTER TIGH, AND JOHN HOBSON ESQUIRES.

#### INDICTAMENTA.

- 1 Willelmus Holt de Hale Parva, 2. Willelmus Allen junior de eadem, [et] 3. Nathaniel Singleton de eadem—quia ipsi vicesimo die Decembris ult' pret' vi & armis &c. ac riotose apud Helpringham seipsos assemblaverunt &c. et in et super quendam Johannem Smyth insultum & affraiam fecerunt ac dictum Nathanielem Singleton ex custodia eiusdem Johannis Smith rescusserunt contra &c.
- 4 Predictus Willelmus Allen junior pro se male gerendo postquam obligatus fuit ad pacem servandam contra &c.

- John Cobbin of Thorpe on the Hill for withhoulding and deteyning from Henry Grubb his late servant contra &c.
- 5 Thomas Stephenitt de Dirington quia die capcionis huius inquisicionis apud Dirington predictam summam iis.iiii*d*. legalis monete anglie pro constabularii assessmento solvere recusavit contra &c.
- 6 Edwardus Clarke de Heckington for deteyning from Robert Bull of the same the summe of 27*s*. for wages due to him the said Robert Bull contra &c.
- 7 Benjamin Deacon de Hale Magna clericus pro negligendo prosequi Allen et alios pro felonia ad malum exemplum &c.

Page 24.

- 8 Robertus Cox de Kelby generosus, 9. Johannes Cox senior de eadem, 10. Johannes Cox junior de eadem, [et] 11. Henricus Hill junior de eadem—quia ipsi et quilibet eorum existentes super aetatem sexdecim annorum non accesserunt ad ecclesias suas parochiales per spacium trium mensium iam ultimorum preteritorum contra formam statuti &c.

#### ARRAINMENTA.

Willelmus Allen junior de Hale Parva, Willelmus Holt de eadem, Christopherus Quell de eadem, Nathaniell Singleton de eadem, [et] Josephus Nicholls de eadem—super arrainmenta sua placitaverunt non culpabiles et posuerunt se super patriam. Juratores dicunt quod sunt culpabiles. Omnes flagellantur apud Sleaford et exonerati &c.

Thomas Redshaw de Helpringham, Johannes Woods de eadem, [et] Rogerus Vines de Sleaford nova—simile &c.

Ordered that Charles Brandon late constable of Bennington be forthwth reimbursed the summe of 4*li*. 10*s*. awarded to him from the towne by Sr Fra. Fane upon passing his accounts.

Ordered that the overseers of the poore of Newton doe provide sufficient harbour for John Hall of the same.

#### EXITUS.

De Richardo Squire de Norton Disney quia non comparuit ad inquirendum &c. *xs*.

Page 25.

De Willelmo Hawden de Caythorpe pro consimile, *xs*.

De Thoma Bonson de Fulbecke pro consimile, *xs*.

De Johanne Hawden de Lednam pro consimile, *xs*.

De Edwardo Langworth de Brant Broughton pro consimile, *xs*.

De Johanne Roberts de Bennington Longa pro consimile, *xs*.

De Johanne Appleyard de Aswardby pro consimile, *xs*.

De Johanne Parker de Colverthorpe pro consimile, *xs*.

De Matheo Kirke de Swarby pro consimile, *xs*.

#### FINES Nulli.

Thomas Page de Helpringham, [et] Anthonius Garratt de eadem, manuaptores Thome Redshaw. (Feod<sup>m</sup>).

Page 26.

LINCOLNE	GENERAL SESSION OF THE PEACE HELD AT
KESTEVEN	BOURNE, 12 APRIL 1675, BEFORE WILLIAM
BOURNE	TROLLOPE, BART, CHRISTOPHER CLAPHAM,
EASTER	EDMUND TURNER, KNIGHTS, AND OTHERS.
1675	

PROCESSUS PACIS DOMINI REGIS.

VENIRE CHRISTMAS 1674.

- 1 \* Richardus Cumbrill de Corby, submitted, fine vid.
  - 2 \* Henricus Christian de eadem, submitted, fine vid.
  - 3 Robertus Foster de eadem.
  - 4 \* Robertus Day de eadem, submitted, fine vid.
  - 5 \* Ricardus Beecrofte de eadem, submitted, fine vid.
  - 6 \* Ricardus Kirke de eadem, submitted, fine vid.
  - 7 \* Christopherus Sharpe de eadem, submitted, fine vid.
  - 8 \* Johannes Cooke de eadem, submitted, fine vid.
  - 9 \* Willelmus Dickons de eadem, submitted, fine vid.
  - 10 Henricus North de eadem.
  - 11 Thomas Pateman de Gosbertowne.
  - 12 \* Robertus Winge de eadem, submitted, fine vid.
  - 13 Edwardus Cockes de eadem.
  - 14 Thomas Sansom de eadem.
  - 15 Thomas Dawson de eadem.
  - 16 \* Ricardus Watson de Welby, submitted cum protesto quod non culpabilis, fin' xs. sol' vicecomiti. (Distringas<sup>m</sup>).
  - 17 \* Johannes Adcocke de Harnthorpe, submitted cum protesto, fin' 3s. 4d. solutus vicecomiti.
  - 18 Thomas Measure de Markett Deeping. (Infor.<sup>m</sup>).
  - 19 Johannes Hubbert de Uffington.
  - 20 \* Samuel Taylor de Tallington.
  - 21 \* Uxor eiusdem Samuelis Tayler.
  - 22 Simon Pecke de Thurlby & uxor.
  - 23 Johannes Gilbert de Aslackby.
  - 24 Henricus Law de West Deeping generosus.
- Page 27.
- 25 \* Thomas Knott de Morton, fine remitted.
  - 26 Widow Spridgeon de eadem.
  - 27 \* Franciscus Petchell de Welby.
  - 28 \* Henricus Howitt de eadem.
  - 29 \* Thomas Petchell de eadem.
  - 30 — Thomas Head de South Wytham, no Cath[olic].
  - 31 — Johannes Hopkins de eadem, no Cath.
  - 32 Maria uxor Thome Ingelow de Irnham, 33. Samuel Key de eadem, 34. Jacobus Deacon de eadem, 35. Maria Pettiforth de eadem, 36. Johannes Broxholme de eadem, 37. Robertus Clarke de Bulby, 38. Thomas Walbanks de Hawthorpe, [et] 39. Johannes Speete de Burton Coggles—pro clam' facta in curia &c.
  - 40 = Radulphus Hare de Bytham parva, ana-Bapt[ist], no Cath

41 \* Dorthea [*sic*] Cumberill de Corby.

CAPIAS MICHAELMAS '74.

1 \* Johannes Burbidge de Bourne, fine remitted.

8 Johannes Sibsey de Syston generosus, [et] 9. Anna uxor eius, recusantes.

10 Humphredus Fletcher de Bourne.

11 — Willemus Galloway de eadem.

12 Zacharias Walbancks de Haconby.

13 Uxor Roberti Newcombe de eadem.

14 Thomas Heifeild de Stenfeild pro feod' et inform' proporcion'.

SCIRE FACIAS.

Petrum [*sic*] Inckley de Rippingale 16s., vadia Johannis Gray.

1 Robertus Sympson de Dike pro negligendo officium suum constabularii &c.

2 Johannes Bourton de Bourne pro ingrossat' & regrat' corn meal &c. et diuersas alias commoditates.

3 Joyce Hoperofte de eadem pro ingrossat' et regrat' butter egges &c. ad [sectam] Jacobi Hardwick.

4 Johannes Lightfoote junior de Bourne pro ingrossat' et regrat' corne &c. ad sectam eiusdem.

Willemus Watson de Baston, fine xs., remitt vs., solut. vic. (debet feod<sup>m</sup>).

Page 28.

LINCOLNE

KESTEVEN

SLEAFORD

EASTER

1675

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 13 JANUARY 1674-5, BEFORE FRANCIS  
FANE, KNIGHT OF THE BATH, WILLIAM YORKE,  
KNIGHT, AND FRANCIS WINGFIELD AND WILLIAM  
SAVILE, ESQUIRES.

PROCESSUS PACIS DOMINI REGIS.

VENIRE FACIAS, CHRISTMAS, '74.

1 \* Willemus Holt de Hale Parva, (remit<sup>ce</sup>) finis xxs. solut. vic.

2 \* Willemus Allen junior de eadem, finis 40s. solut. vic.

3 \* Nathaniell Singleton de eadem, submitted, five shillings finis solut.

4 \* Predictus Willemus Allen junior, remitted.

5 \* Johannes Cobbin de Thorpe super Montem, agreed.

6 Thomas Stephenitt de Dirrington.

7 Edwardus Clarke de Heckington.

8 \* Benjamin Deacon de Hale Magna clericus, fine remitted.

9 Robertus Cox de Kelby.

10 Johannes Cox junior de eadem.

11 Johannes Cox senior de eadem.

12 Henricus Hill junior de eadem.

CAPIAS, MICHAELMAS '74.

1 Willemus Ablewhaite de Hale Parva vigill'.

ALIAS DISTRINGAS.

6 Inhabitantes de Howell.

Richard Oakes de Silke Willowby fensurae apud Swineshead.  
(ven.<sup>m</sup>).

Page 29. ALIAS CAPIAS, MIDSUMMER '74.

- 1 \* Thomas Parker de Scawpwicke, [et] 2.\* Idem Thomas Parker—  
comparuit et petit licenciam.
- 3 Richardus Pridgeon de Wellingore.

SPALDING, EASTER, 1675.

Edwardus Anthony de Helpringham ingross' victuals ad  
sectam Arthuri Bennitsland.

Johannes Pecok de Brigge End, drunck Sundayes.

Received of Sr Thomas Hussey barr<sup>t</sup> the summe of  
viili. xis. viiiid. for ye Kings third part upon a record of  
conviccion ag<sup>t</sup> Robert Smyth & others for an unlawfull  
conventicle in South Hykam.

[Signed] WM WILLERTON deputatus vicecomes comitatus  
Lincolnie

Memorandum Richardus Parkes exoneratus. comparuit per  
P. S[hore].

VENIRE FACIAS.

- 1 Georgius Ireland de Silke Willowby, ale house sine licencia.
- 2 Wid. Dowager de Old Sleaford, 3. Margaret Bennitt de  
Heckington, 4. Bernard Walkwood de Evedon, 5. Willel-  
mus Wiles junior de Ewerby, [et] 6. Thomas Stennitt  
senior de eadem—[blank].

Page 30.

LINCOLNE  
KESTEVEN  
BOURNE  
EASTER  
1675

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, 12 APRIL 1675, BEFORE WILLIAM  
TROLLOPE, BART, CHRISTOPHER CLAPHAM,  
EDMUND TURNER, KNIGHTS, JOHN HATCHER,  
WILLIAM HYDE, WILLIAM SAVILE, RICHARD  
CUST, AND EDMUND SYLER, ESQUIRES.

INDICTAMENTA, ETC.

- 1 Thomas Hincks de Pointon pro extorcione ut balliuus in  
conveniando Willelmum Spencer ad Castrum Lincolnie ad  
sectam cuiusdam Johannis Wright xs. prout per indicta-  
mentum &c.
- 2 Thomas Shaw de Morton quia undecimo die Octobris ultimo  
preterito apud Morton predictam quoddam cottagium pro  
habitatione de novo erexit et non assignavit eidem cottagio  
quatuor acras terre secundum statutum de terris mensur-  
andis contra formam &c.
- 3 Idem Thomas Shaw cottagium predictum ad diem capcionis  
hujus inquisitionis a predicto duo decimo die Octobris per  
spatium sex mensium illicite manutenuit et continuavit  
contra &c.
- 4 \* Maria Collingwood de West Deeping spinster quia decimo die  
Aprilis ultimo preterito apud West Deeping predictam  
communem regiam viam ibidem cum quibusdam ligonibus  
et aliis instrumentis effodit et spoliavit contra formam &c.

- 5 \* Ricardus Clarke de Deeping Sancti Jacobi quia decimo die Junii preterito apud Deeping predictam duos anseres ad valenciam xiid. de bonis et catallis cujusdam Johannis Tigh junioris iniuste & illicite cepit & asportavit contra &c. Johannes Peacocke de Brigge End, drunck Sundayes &c. (Kirton<sup>m</sup>).

*Page 31.*

- 6 Petrus Inckley de Rippingale for withholding and deteyning from John Gray of the same the summe of sixteene shillings wages due unto him the said Johr. Gray &c.
- 7 — Robertus Simpson de Dike pro negligendo officium suum constabularii et pro recusando exequend' cuiusdam warranti eidem directi contra &c.
- 8 \* Henricus Law de West Deeping generosus (solut. pauperibus<sup>i</sup>), 9. Zacharia Walbancks de Hacconby weaver, 10. Uxor Roberti Newcombe de eadem, 11. Daniel Sherman de Morton, 12. Rebecca Pridgeon de eadem vidua, 13. Jonas Drewry de Swayton husbandman, 14. \* Robertus Towers de eadem; 15. \* Willelmus Greene de Osburnby husbandman (3s. solut. constabulario pro pauperibus<sup>i</sup>), 16. \* uxor eiusdem Willelmi Greene (3s. solut. constabulario pro pauperibus<sup>i</sup>), [et] 17. Johannes Gilbert de Aslacby—pro non reparando ad ecclesias suas separales parochial' per spacium trium dierum dominicorum nunc ultimis preteritis contra formam statuti &c.
- 18 Jeremia Bertie de Lound generosus, 19. Elizabetha uxor eius, 20. Johannes Thimbleby de Irnham generosus, 21. Katherina uxor eius; 22. Johannes Newcomb de eadem generosus, 23. Johannes Crunckhorne de eadem carpenter, 24. Alicia uxor eius, 25. Samuel Key de eadem laborer, 26. Robertus Dent de eadem yeoman, 27. Gracia Dent de eadem vidua, 28. Thomas Dent de eadem laborer, 29. Johannes Broxholme de eadem miller, 30. Elizabetha uxor eius, 31. Robertus Clarke de Bulby, [et] 32. Katherina Clarke uxor eius—quia a decimo die Februarii ultimo preterito usque diem capcionis hujus inquisitionis apud villas predictas non accesserunt ad ecclesias parochiales sed obstinate (ut pseudo Catholici) anglice Popish Recusants abstinerunt ab eisdem contra &c.

*Page 32.*

- 33 Johannes Lewin de eadem carpenter, 34. Katherina uxor eius, 35. Elizabetha Arnold de Hawthorpe spinster, 36. Elizabetha Willowes de eadem widow, 37. Susanna Cope de Lounde predicta widow, 38. Ursula Thompkins de eadem, 39. Johannes Speet de Burton Coggles, 40. Maria uxor eius, 41. Willelmus Claughton de Bassingthorpe; 42. Johannes Sympson de Corby, [et] 43. Ricardus Brookes de eadem—pro consimile.

## ARRAINMENTA.

Willelmus Walton de Newton, [et] Elizabetha Lansdale de eadem—super arrainmentum suum placitauerunt non culpabiles et posuerunt se super patriam. Juratores dicunt quod sunt culpabiles, flagellantur apud Bourne.

## EXITUS.

De Thoma Stoyt de Thorlby quia non comparuit ad hanc sessionem ad inquirendum pro domino Rege sicut summonitus fuit, ideo &c.—xs.

## FINES.

De Johanne Cole de Osburnby et aliis pro quodam contemptu, vs.

De Ricardo Cumbrill de Corby et aliis pro quodam fine &c., vs.

De Ricardo Watson de Welby pro quodam fine, solut. vic. xs.

De Johanne Adcock de Harmthorpe pro consimile, solut., iiis. iiiid.

Page 33.

De Matheo Cattell ballivo de Ness pro contemptu, insol', vs.

De Johanne Baines ballivo de Beltisloe pro consimili, vs.

De Roberto Barton ballivo de Win[nibriggs] et Threos pro consimile, vs.

De Willelmo Baker de Braceborow pro consimile, xs.

SLEAFORD  
EASTER  
1675

GENERAL SESSION OF THE PEACE, HELD AT SLEAFORD, 13 APRIL 1675, BEFORE FRANCIS FANE, KNIGHT OF THE BATH, THOMAS HUSSEY, BART, WILLIAM YORKE, KNIGHT, LISTER TYGH, WILLIAM SAVILE, WILLIAM LISTER, AND EDMUND SYLER, ESQUIRES.

## INDICTAMENTA &amp;C.

1+ \*Johannes Knot de Leasingham quia primo die Aprilis ultimo preterito apud Leasingham predictam fensuram suam vocatam le More Fence versum terram vocatam Spellow reparare neglexit contra &c. (*repar'd<sup>c</sup>*).

2 Thomas Dawson de Washingbrow tayler quia primo die Aprilis quandam summam pecunie super eum legitime taxatam et assessatam pro constabularii assessmento solvere recusavit contra &c.

3 \* Ricardus Clifton de Washingborow, [et] 4. \* Franciscus Newton de eadem—pro feloniam fugerunt ante arrainmentum.

Page 34.

5 Willelmus Holderness de Ewerby pro ingressu manuforti apud Ewerby in tenementum super possessionem Willelmi Polter existentem liberum tenementum cuiusdam Henrici Fane armigeri contra formam statuti. Vide indictamentum.

6 \* Philippus Jackson de Screckington quia decimo die Augusti ultimo preterito apud Screckington predictam communem carcerem pecuarium (anglice the Pinfold) fregit et intravit

et duos vitulos et vnam equam ibidem captos et detentos pro dampno faciendo liberavit et illicite ad largum posuit contra &c.

- 7 \* Thomas Knight de Wellingore yeoman 13 die Januarii ultimo preterito quasdam personas secum cohabitare quasi les Inmates sub uno tecto permisit contra formam statuti &c. (Fin' 40s. sol' vic'l)
- 8 Maria Badge de eadem spinster, 9. Francisca Pridgeon de eadem vidua, [et] 10. Vidua Hooton de eadem—les Inmates cum eodem Thoma Knight contra formam &c.
- 11 Widow Law de New Sleaford, 12. \* Ricardus Sherwood de eadem (fine remitted<sup>l</sup>), 13. Peter Stoakes de eadem, 14. \* Widow Carr de eadem (fine remitted<sup>l</sup>), 15. \* Willelmus Linsley de eadem, 16. \* Johannes Fawcett de eadem, 17. Thomas Ward de eadem, 18. Thomas Litster de eadem, 19. \* Willelmus Brand de eadem, 20. \* Johannes Mawer de eadem, [et] 21. \* Johannes Thorpe de eadem—pro custodiendo domos communis [*sic*] tiplatorum sine licencia duorum Justiciariorum pacis &c. contra formam &c.
- 22 Ricardus Clarke de Nocton, 23. Ricardus Stanley de eadem, 24. Ricardus Cooke de eadem, 25. Francesca Howard de Donston, [*Page* 35] 26. Robertus Warriner de eadem, 27. Willelmus Webster de eadem, 28. Willelmus Woods de Blanckney, 29. Widow Hixon de eadem, 30. Willelmus Allen de Scawpwick, 31. Davidus Foggaty de eadem generosus, 32. Willelmus Sutton de Walcott yeoman, 33. Elliner Sutton de eadem spinster, 34. Johannes Codde de Billingham, 35. Henricus Sherbourne de South Kyme generosus, [et] 36. Robertus Sherbourne de eadem generosus —3 menses.
- 37 Robertus Cox de Kelby yeoman, 38. Johannes Cox senior de eadem, 39. Johannes Cox junior de eadem, 40. Henricus Hill junior de eadem, 41. Henricus Hitchcocke de Ingoldsby [et] 42. Johannes Storey de eadem—per tres dies dominicos &c.

INFORMACIONES AD SECTAM DOMINI REGIS & WILLELMI  
DICKONSON.

- 43 \* Willelmus Swanne senior de Scawpwick, (petunt licenciam ad componendum &c.<sup>l</sup>) [et] 44. \* Willelmus Swanne junior de eadem—pro ingrossando catalla.
- 45 Johannes Luddington de Silke Willowby pro ingrossando cer' super terram crescentem. (Placitavit non culpabilis, venire facias, aquard<sup>l</sup>).
- 46 \* Christopherus Orson de Kirton pro ingrossando cattalla, [et] 47. \* Johannes Neale eadem [*sic*] pro consimili &c.—in Holland.
- 48 \* Johannes Storre de Digby (fine remitted<sup>l</sup>), 49. Susanna Bulley de eadem, 50. \* Georgius Ireland de Silk Willowby

(remitted<sup>l</sup>), 51. Widow Dowager de Sleaford Antiq', 52. Margarett Bennitt de Heckington, [et] 53. Robertus Armstead de Blanckney—pro consimili ut Widow Law.

Page 36.

53[sic] \* Bernard Walkwood de Evedon (gratis<sup>m</sup>), 54. Thomas Stennitt senior de Ewerby, 55. Willelmus Wiles junior de eadem, 56. Elizabetha Wildman de Foston, 57. Isabell Doore de eadem, 58. Willelmus Pine de Bennington Longa, 59. Willelmus Costall de eadem, 60. Widow Howlett de Doddington, 61. \* Thomas Sewell de Stapleford, 62. \* Willelmus Trayner de eadem, 63. \* Johannes Thompson de Thorpe super Montem, 64. \* Willelmus Turnepenny de Dogdike, 65. Ricardus Burrell de Heighington, [et] 66. Johannes Clarke de Wellingore—pro consimili.

#### ARRAINMENTA.

Ricardus Snath de Eagle super arrainmentum [suum] placitavit non culpabilis et posuit se. Juratores dicunt quod culpabilis, flagellatur apud Sleaford.

#### SCIRE FACIAS.

- \* Matheus Brighton de Washingbrough manucaptor pro R. Clifton.
- \* Ralphus [sic] Kirton de Washingborow manucaptor Fra. Newton.

#### EXITUS NULLI.

#### FINES.

De Willelmo Holt de Hale Parva pro quodam fine, solut. vic. xxs.

De Willelmo Allen juniore de eadem pro consimili similiter solut. 40s.

De Nathaniello Singleton de eadem pro consimili similiter solut. vs.

Page 37.

- \* De Roberto Tayler de Hanbeck pro quodam fine insoluto 40s.
  - \* De Roberto Norman de Bloxholme pro quodam fine 40s.
  - \* De Johanne Searson de Ingolsby pro consimili insoluto 40s.
- De Johanne Baker constabulario de Ashby pro consimili insoluto (estreated<sup>m</sup>) 40s.

#### INDICTAMENTA FORR.

Kirton : Distringas.

- 1 Richard Oakes de Silke Willowby generosus fenc' apud Swineshead.

Spalding : Capias

- 2 Edwardus Anthony de Helpringham pro ingrossando victualla.
- 3 Robertus Carrington de Parke house in parochia de Heckington (vadia Thome Cod de Swineshead<sup>l</sup>).

#### ORDERS.

Ordered Mr Dawson of Sleaford be discharged of all Towne offices in regard he is allowed to practice Phisick and Surgery.

Ordered that 1s. a weeke charge shall be taken of from Michael Stennitt and *vid.* a weeke imposed vpon Mary Stiles the mother of the bastard childe or that the overseers of Kirkby shew cause next Session.

Ordered Edmund Syler esq. continue Treasurer of the Marshalsey for ye next yeare and Mr William Trollope for the maymed soldiers.

Ordered that the present constables of Hale Parva doe reimburse John Dammes late constable the summe of 4*li.* 9*s.* 0*d.* by him expended in the execucion of his office &c.

Ordered Mr Thomas Colby of Woolstrop in this county haue a pencion of 5*li.* per annum and 5*li.* for his present releife.

Page 38.

Ordered that the former order of this Court concerning Mr Charles Brandons account shall be respited untill next Session except ye said Mr Brandon shall goe before Sir Francis Fane, knight of the Bath, Sir Robert Markham bart, (John Hobson, esquire<sup>1</sup>) or any two of them, to haue them fully examined settled and determined, and they to make report thereof at the next Session, and that he give notice of this order six dayes beforehand to the inhabitants of Long Bennington.

Page 39.

BOURNE, MIDSUMMER 1675.

CAPIAS CHRISTMAS '74.

- 3 Robertum Foster de Corby, 10. Henricum North de eadem, 11. \* Thomam Pateman de Gosbertowne (fine *xiid.* solut. vic.<sup>1</sup>), 13. Edwardum Cocks de eadem Corby, 14. Thomam Sansom de eadem, 15. Thomas Dawson de eadem, 18. \* Thomam Measure de Markett Deeping (fine *vid.*<sup>1</sup>), 19. \* Johannem Hubbert de Uffington, 20. \* Samuel Tayler de Tallington, 21. \* Uxor [*sic*] eiusdem Samuelis Tayler, 22. \* Symon Peck de Thurlby et uxorem, 23. Johannem Gilbert de Aslackby, 24. \* Henricum Law de West Deeping generosum, 26. Widow Spridgeon de Morton, 27. \* Franciscum Petchell de Welby, 28. \* Henricum Hewitt de eadem, 29. \* Thomam Petchell de eadem, 30. Thomam Head de South Wytham, 31. Johannem Hopkins de eadem, 41. Radulphum Hare de Bytham Parva.

ALIAS CAPIAS, MICHAELMAS.

- 1 \* Johannem Burbidge de Bourne (remitted.<sup>1</sup>), 10. \* Humphredum Fletcher de eadem (fine remitted.<sup>1</sup>), 11. Willelmum Gallo-way de eadem (dead<sup>m</sup>), 12. — Zachariam Walbancks de Hacconby, 13. — Uxorem Roberti Newcombe de eadem, 14. — Thomam Heffield de Swayfeild.

Page 40. PLURIES CAPIAS, MIDSUMMER '74.

- 13 Edwardum Bingham de Peterborow in comitatu North-[amptonie], 14. Uxorem eiusdem Edwardi Bingham, 21. — Willelmum Watson de Baston, 22. Thomam Hare de Bytham Parva, 47. Thomam Gregge de eadem, 48. \* Ricardum Parkinson de Westby, 49. Uxorem eiusdem Ricardi.

EXIGENT.

- 4 Vincent Harfoote de Deeping St Jacobi (run away<sup>m</sup>), 5. Johannem Johnson de Uffington 3 [*sic*], 4. Johannem Ashley de West Deeping, 10. Henricum Bayley de Castle Bytham, 13. Carolum Snart de Markett Deeping.

Page 41.

SLEAFORD, MIDSUMMER, 1675

CAPIAS, CHRISTMAS '74.

- 5 \* Johannem Cobbin de Thorpe super Montem, 6. — Thomam Stephenitt de Dirrington, (comparuit per P. Shore generosum et placitavit non culpabilis<sup>i</sup>) (retr<sup>m</sup>), 7. \* Edwardum Clarke de Heckington (dead<sup>m</sup>), 8. \* Benjamin Deacon de Hale Magna (fine remitted<sup>i</sup>), 9. Robertum Cox de Kelby, 10. Johannes [*sic*] Cox senior de eadem, 11. Johannem Cox juniorem de eadem, 12. Henricum Hill juniorem de eadem.

ALIAS CAPIAS, MICHAELMAS '74.

- 1 Willelmum Abblewhite de Hale Parva.

HOLLAND. DISTRINGAS.

- 1 \* Ricardus [*sic*] Oakes de Silk Willowby generos', finis 1s. solut. vic.  
2 \* Edwardum Anthony de Helpringham, finis 1s. solut. vic.

PLURIES CAPIAS, MIDSUMMER 1674.

- 3 Ricardum Pridgeon de Welligore.

SCIRE FACIAS.

- \* Radulphus Kirton de Washingborough manucaptor pro Newton.  
\* Matheus Brighton de eadem manucaptor Clifton.

Page 42.

INSTRUCTIONES.

Johannes Gibson de Swinderby 4 Julii ultimo [preterito] apud Swinderby vigilias nocturnas agere neglexit &c.

Christopherus Bancks de Walcot, [et] Edwardus Bancks de eadem—pro shooting on Sunday 27th June.

Nicholaus Bate de Blanckney 4 oxen at Lincoln 31th March for 15*li*. 10s.

- \* Thomas Watson de Scawpwick 4 oxen at Lincoln for 15*li*. 10s. eodem die sold within 5 weeks.

Johannes Steneby de Dodington in comitatu Rotoland, loafe of white bread not full waight ad graue dampnum &c.

Stephanus Baker de Markett Deeping for keeping false waightes to weigh goods in Bourne market.

Johannes Crosby de Walcott senior, Johannes Crosby junior de eadem, Willelmus Waite de eadem, Henricus Blacke de eadem, Ricardus Swallow de Billingham, [et] Richardus Bellamy de eadem—for riding and horse coursing on Sundayes.

Vincentius Humphryes de Thorpe Tilney 2 farmes ad sectam W. Wilson from Lamas last &c.

Willelmus Lets de Wilford ingross' cattalla boves et juvencos &c.

\* Willelmus Swanne senior et junior de Scawpwicke pro consimili.

*Page 43.*

LINCOLNE  
KESTEVEN  
BOURNE  
MIDSUMMER  
1675

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, 14 JULY 1675, BEFORE WILLIAM  
TROLLOPE, BART, CHRISTOPHER CLAPHAM  
KNIGHT, JOHN HATCHER, WILLIAM HYDE,  
WILLIAM SAVILE, RICHARD CUST, AND EDMUND  
SYLER, ESQUIRES.

INDICTAMENTA &c.

- 1 Robertus Allen de Bassingthorpe, [et] 2. Thomas Sansom de Corby—quia ipsi 24 die Maii ultimo preterito cum multis aliis malefactoribus adhuc incognitis apud Corby seipsos riotose &c. assemblaverunt congregaverunt et convenerunt et in et super quendam Henricum Birch de Folkingham riotose insultum et affraiam fecerunt et dictum Henricum Birch verberaverunt vulneraverunt et maletractaverunt ita quod &c. contra pacem &c. necnon contra formam &c.
- 3 Johannes Gilbert de Aslackby, 4. \* Robertus Towers de Swayton, 5. Jonas Drewry de eadem, 6. Willelmus Greene de Osburnby, 7. Uxor eiusdem Willelmi Greene, [et] 8. Willelmus Hussey de Cawthorpe—quia existentes et quilibet eorum existens supra etatem 16 annorum et amplius non accesserunt nec reparaverunt ad ecclesias suas parochiales per spacium trium dierum dominicorum contra &c.
- 9 Johannes Ashton de Horblyne felmonger quia 24 die Junii ultimo preterito apud Horblyn predictam unum instrumentum vocatum anglice a shodd shovell ad valenciam *xd.* de bonis et catallis cujusdem Johannis Brittaini iniuste et illicite cepit asportavit et detinuit contra pacem &c.
- 10 Willelmus Hunt de Markett Deeping 45s. de vadiis cuiusdam Anne Bree detinuit &c.

*Page 44.*

- 11 Christopherus Naule de Markett Deeping quia die captionis hujus inquisitionis &c. apud Deeping predictam cum aratra et bujugiis<sup>1</sup> suis fundum et solum cuiusdam Thome Pickering existentem cuiusdam Balkie (anglice of a certaine Balke)

<sup>1</sup> sic: query for bijugiis=double yoke.

- aravit et abscondit et super eam terram illicite incrochiavit ad graue dampnum eiusdem Thome Pickering ac contra &c.
- 12 \* Willelmus Colby de Bourne quia primo die Octobris ultimo preterito apud Bourne predictam unam mensuram carbonis falsam custodiit que non est secundum Standardum Commune in le Exchequer contra formam &c.
- 13 Amantia Charity de Wilsthorpe quia 27 die Junii ultimo preterito apud Wilsthorpe communem tabernam et domum tipulatorium admissa custodire separales personas in domo sua sedere permisit bibentes et tipulantes et sese aliter male gerentes contra formam &c.
- 14 \* Henricus Castle de Paunton Magna quia die captionis hujus inquisicionis apud Boothby Pannell summam 5s. 3d. super eum legitime assessatam Constabulario de Boothby predicta solvere recusavit contra &c.
- 15 \* Willelmus Everitt de Wilsford quia vicesimo die Junii ultimo preterito apud Wilsford predictam communem carcerem pecuarium ibidem fregit et intravit et duas equas ibidem captas et detentas pro dampno faciendo illicite rescussit et ad largum posuit contra &c.
- 16 Uxor Johannis Sheppard de North Wytham, 17. Ellena Parkinson de Westby widow, 18. Thomas Royston de Holliwell, 19. Maria Northan de eadem widow, 20. Ricardus Northen de eadem, [et] 21. Robertus Northan de eadem—pro consimili ut Gilbert.

Page 45.

#### ARRAINMENTA.

Edwardus Smyth de Castle Bytham et Anthonius Love de Helpringham—super arrainmenta sua pro parva feloniam cognoverunt indictamentum petiierunt librum legere et Cremantur in manibus levis &c.

#### ORDERS.

Vpon the humble petition of Josiah Sharpe of Markett Deeping shewing that there being a record of conviccion sent from one of his Ma<sup>ties</sup> Justices of the peace in the parts of Holland for a certaine conventicle at Pinchbeck in the said parts, the said Josiah being the preacher as by the said record filed in court may more plainly appeare, bearing date the 12th day of March last, which said record as it appeares to the court this day was not duly prosecuted within the space of three months according to the Act of Parliam<sup>t</sup> in that case provided Hee the said Josiah Sharpe thereupon made his humble appeale to this court for releife herein; Itt was therefore ordered by the court that the said Josiah Sharpe his goods and chattells lands and tenem<sup>ts</sup> shall be fully freed acquitted and discharged thereof.

Ordered by the court this day that Susan Barker spinster late a serv<sup>t</sup> to Mathew Keysby of Glington in the county of Northampton (whereas complaint is made shee hath beene

gott with child) shall be speedily conveyed to her said master and there provided for and that the Overseers of the poore and inhabitants of James Deeping shall be freed and discharged from her.

*Page 46.*

Ordered that Elizabeth Berry of Bourne shall be paid all her arrears of rent for her cottages in Bourne lett to the poore there for the space of 2 yeares last onely towne duties deducted according to a reasonable and proporcionable charge.

Vpon controversie in court this day betweene the inhabitants of Bourne and Stenfeild about the settlem<sup>t</sup> of one Richard Sheppard itt is fully determined by the court that the said Richard Sheppard shall continue and remaine at Stenfeild where he hath taken an house and was last lawfully settled.

Whereas complaint was made unto the court this day by severall victuallers and alehousekeepers within these parts and county that the Officers for the Collecting of his Ma<sup>ties</sup> duty and revenue arising by firehearths and stoves within these said parts and county haue levyed two shillings for every oven within their said severall houses which they the said victuallers have imployed to noe other uses then for the use of their owne private families Itt was therefore ordered and agreed by this court that every Justice of the Peace within the said parts and county to whome any complaint hereabout shall be made by the said victuallers shall upon their appeale give such reliefe to them as they are impowred to, by the statute made in the 16th yeare of his now Ma<sup>ties</sup> reigne.

*Page 47.*

FINES.

De Thoma Measure de Markett Deeping solut. vic. xiiid.

De Thoma Patman de Gosbertowne solut. vic. xiiid.

EXITUS NULLI.

DEFAULTA SUPER RECOGNITIONES.

Anna Clarke de Thurlby Princ' uxor, [et] Thomas Clarke de eadem manucaptor eiusdem—manucaptor in xxli.

Jacobus Ganne de Markett Deeping ad respondendum.

Thomas Meriell de Markett Deeping ad prosequendum eundem.

\* Johannes Ducklin de Humby Parva in xli. ad prosequendum Willelmum Wilkinson et Augustinum Holland.

*Page 48.*

LINCOLNE  
KESTEVEN  
FOLKINGHAM  
MICHAELMAS  
1675

GENERAL SESSION OF THE PEACE, HELD AT  
FOLKINGHAM, 4 OCTOBER, 1675, BEFORE WIL-  
LIAM TROLLOPE, BART, HENRY HERON, KNIGHT  
OF THE BATH, W. YORK, KNIGHT, WILLIAM  
HYDE, WILLIAM SAVILL, [AND] LISTER TIGHE,  
ESQUIRES.

## PROCESSUS PACIS DOMINI REGIS.

## VENIRE FACIAS, MIDSUMMER '75.

- 1 — Robertus Allen de Bassingthorpe, [et] 2. \* Thomas Sansom de Corby—riott; submitted; fine 5s.; solut.
- 3 \* Johannes Gilbert de Aslackby, 4. \* Robertus Towers de Swayton, 5. Jonas Drewry de eadem, 6. \* Willelmus Greene de Osburnby [et] 7. \* Uxor eiusdem Willelmi Greene—finis solutus pauperibus.
- 8 Willelmus Hussey de Cawthorpe in parochia de Bourne.
- 9 Johannes Ashton de Horblin.
- 10 \* Willelmus Hunt de Markett Deeping, vadia soluta.
- 11 Christopherus Naule de eadem.
- 12 \* Willelmus Colby de Bourne.
- 13 \* Amantia Charity de Wilsthorpe, supprest.
- 14 \* Henricum Castle de Paunton Magna.
- 15 \* Willelmus Everitt de Wilsford.
- 16 Uxor Johannis Sheppard de North Wytham.
- 17 Ellen Parkinson de Westby widow.
- 18 \* Thomas Royston de Holliwell, 19. \* Maria Northan de eadem, 20. \* Richardus Northan de eadem, [et] 21. \* Robertus Northan de eadem—finis solutus pauperibus.

Page 49.

Fran. Mussen de Bitchfeild 24s., vadia Mary Orton.

## SCIRE FACIAS.

Thomas Clarke de Thurlby. James Ganne de Markett Deeping, (estreat<sup>m</sup>). Thomas Meriell de eadem, (estreat<sup>m</sup>). \* Johannem Ducklin de Humby Parva.

## CAPIAS EASTER '75.

- 1 Thomas Hincks de Pointon, 2. Thomas Shaw de Morton, 3. Idem Thomas Shaw, 4. — Peter Inckley de Rippinghale, 9. Zachariam [sic] Walbancks de Hackonby, 10. Uxorem Roberti Newcomb de eadem, 11. Danielelem Sherman de Morton, 12. Rebeccam Pridgeon de eadem, 13. Jonas Drewry de Swayton, 14. \* Robertus Towers de eadem, 17. \* Johannem Gilbert de Aslackby to pay 3s. to the poore (rec<sup>m</sup>).

## ALIAS CAPIAS, CHRISTMAS '74.

- 3 Robertum Foster de Corby, 10. Henricum North de eadem, 13. Edwardum Cocks de eadem, 14. Thomam Sansom de eadem juniorem, 15. Thomam Dawson de eadem, 16. \* Johannem Gilbert de Aslackby, 26. Rebeccam Pridgeon de Morton, 30. Thomam Head de South Wytham (cap' pro feoda & fine<sup>m</sup>), 31. Johannem Hopkins de Witham predicta, 32. Radulphum Hare Bytham Parva.

Page 50.

## PLURIES CAPIAS, MICHAELMAS '74.

- 12 Uxor Zacharie Walbancks de Hacconby.
- 13 Uxor Roberti Newcombe de eadem.

## EXIGENT, MIDSUMMER 1674.

- 13 Edwardum Bingham de Peterburgh. 14. Uxorem eiusdem Edwardi. 22. Thomam Hare de Bytham Parva, 27. Thomam Gregge de eadem.  
 ≡ Wilhelmum Watson de Baston, respit.  
 Johannem Pocock de Brigge End.  
 Johannem Johnson de Uffington. Johannem Ashley de West Deeping, disorders. Henricum Bayley de Castle Bytham, shooting hares. \* Carolum Snart de Markett Deeping, pro arte &c., petit licenciam.

## TRAVERSE.

John Lodington & Tho. Stevenitt.

## RECOGNICIONES.

Susannam Clarke de Wilsford, boone dayes default' &c.

- \* Robertus Allen de Bassingthorpe in xxli. pro bono gestu.  
 = Thomas Sansom de Corby in xxli. pro bono gestu, (Syler<sup>m</sup>).  
 — Ricardus Ashley de Swinestead in xxli. pro pace.

Page 51 [blank].

Page 52.

LINCOLNE  
 KESTEVEN  
 SLEAFORD  
 MIDSUMMER  
 1675

GENERAL SESSION OF THE PEACE, HELD AT  
 SLEAFORD, 16 JULY 1675, BEFORE HENRY  
 HERON, KNIGHT OF THE BATH, FRANCIS FANE,  
 KNIGHT OF THE BATH, WILLIAM YORKE,  
 CHRISTOPHER NEVILLE, KNIGHT, THOMAS  
 ELLIS, LISTER TIGH, JOHN HOBSON, AND  
 EDMUND SYLER, ESQUIRES.

## INDICTAMENTA &amp;C.

- 1 Thomas Smyth de North Kyme quia die capcionis huius inquisitionis apud Kyme predictam communem tabernam cervisie sive domum tiplacionis sine licentia duorum justiciariorum pacis custodire super se assumpsit contra formam &c.
- 2 Joshuah Leake de South Kyme pro consimili &c.
- 3 Johannes Crosby junior de Walcott, [et] 4. Johannes Crosby senior de eadem—quia primo die Julii ultimo preterito apud Leasingham et alios locos etc., mercatum de Sleaford forstallaverunt in emendis catallis antequam fuerunt in mercatum predictum contra formam statuti &c.
- 5 Johannes Kertland de Old Sleaford quia secundo die Julii ultimo preterito apud Sleaford predictam separales quantitates grani diversorum generum ingrossavit ea intencione ad revendendum contra formam &c.
- 6 Henricus Sherborne de South Kyme generosus, 7. Robertus Sherborne de eadem generosus, [et] 8. Philippus Pridgeon de Heighington—recusantes per 3 menses.

Page 53.

8 [*sic*] Johannes Petchell de Carlton Scroope, 9. Willelmus Pickworth de Helpringham yeoman, 10. Gratia uxor eius, 11. Johannes Walcott de eadem, 12. Uxor eiusdem Johannis Walcott, 13. Henricus Hitchcocke de Ingoldsby, 14. Uxor eiusdem Henrici Hitchcocke, 15. Johannes Storey junior de eadem, 16. Uxor eiusdem Johannis Storey, 17. Robertus Cox de Kelby, 18. Jana Cox uxor eius, 19. Johannes Cox de eadem yeoman, 20. Henricus Hill junior de eadem, [et] 21. Anna Hill de eadem widow—quia existentes & quilibet eorum existens super ætatem 16 annorum non reparaverunt ad ecclesias parochiales . . . infra tres dies dominicos . . . &c.

INFORMACIONES AD SECTAM DOMINI REGIS ET W[ILLELMI]  
D[ICKENSON].

22 Thomas Watson de Scawpwicke, [et] 23 Nicholaus Bate de Blanckney—ingross' catalla.

ARRAINMENTA.

Johannes Morley de Sleaford Nova, [et] Franciscus Hodgson de eadem—super arrainmenta sua placitaverunt non culpabiles. Juratores dicunt quod sunt culpabiles. Petunt librum legerunt [*sic*] et cremantur.

Philippus Jackson de Screckington similiter placitavit non culpabilis et posuit se jur' [*sic*]. Juratores dicunt quod est culpabilis ad valenciam 6*d.*, flagellatur.

Page 54.

ORDERS.

Ordered that Bernard Walkwood a poore indigent meyhemed soldier of these parts and county shall have tenne shillings for his present releife and xxs. per annum for the future.

Ordered that George Blackwell have xxs. for his present releife.

Ordered that Edmund Hobb shall have xxs. for his present releife and to be considered the next pention that falls.

EXITUS NULLI.

FINES.

De Thoma Knight de Wellingore pro quodam fine solut. vic. 40s.

De Richardo Oakes de Silke Willowby pro quodam fine solut. vic. is.

De Edwardo Anthony de Helpringham pro quodam fine solut. vic. is.

SCIRE FACIAS.

Jonam Booth de Eagle. Johannem Booth de eadem. Willelmum Booth de eadem. Martinum Colton de eadem. Elizabetham Colton de eadem.<sup>1</sup>

John Pell fined 40s.

<sup>1</sup> These entries are marked with a large cross in the margin.

Page 55.

SLEAFORD  
MICHAELMAS  
1675

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 5 OCTOBER 1675, BEFORE THOMAS  
HUSSEY, BART, WILLIAM YORKE, KNIGHT,  
CHRISTOPHER NEVILLE, KNIGHT, [AND] JOHN  
HOBSON, ESQUIRE.

VENIRE FACIAS, MIDSUMMER '75.

- 1 \* Thomam Smyth de North Kyme, licence.
- 2 Joshuam Leake de South Kyme.
- 3 \* Johannem Crosby seniore de Walcott, [et] 4. \* Johannem  
Crosby juniorem de eadem—suppress.
- 5 \* Johannem Kertland de Old Sleaford, fine remitted, concordat.
- 6 Johannem Gibson de Swinderby.
- 7 Christopherum Bancks de Walcott.
- 8 Edwardum Bancks de eadem.
- 6 Henricus Sherborne de South Kyme generosus, 7. Robertus  
Sherborne de eadem, [et] 8. Philippus Pridgeon de Heighing-  
ton—proclamatio facta.
- 9 Johannem Petchell de Carlton Scroope.
- 10 Willelmum Pickworth de Helpringham.
- 11 Gratiam uxorem eiusdem Willelmi.
- 12 Johannem Walcott de eadem.
- 13 Uxorem eiusdem Johannis Walcott.
- 14 Henricus Hitchcock de Ingoldsby.
- 15 Uxor eiusdem Henrici.
- 16 Johannem Storey juniorem de eadem.
- 17 Uxor eiusdem Johannis.
- \* Franciscum Foster de Haverum (mil.<sup>1</sup>) in parochia de Leasing-  
ham cropp ad valenciam 50*li*. de Mr Elsey.

Page 56.

- 19 Robertus Cox de Kelby.
- 20 Jana uxor eius.
- 21 Johannem Cox de eadem.
- 22 Henricum Hill juniorem de eadem.
- 23 Annam Hill de eadem widow.

INFORMACIONES.

- 22 \* Thomas Watson de Scawpwicke.
- 23 \* Nicholaus Bate de Blanckney, petit licenciam ad componendum  
&c., exoneratus. (Memorandum to send processe<sup>m</sup>).

SCIRE FACIAS.

- \* Johannem Bellamy de Ewerby, [et] \* Edwardum Berry de  
eadem—manuaptiores pro Holderness.

CAPIAS, EASTER '75.

- 2 \* Thomam Dawson de Washingbrough, 5. \* Willelmum Holder-  
ness de Ewerby, 8. Maria Badge de Wellingore, 9.  
Francescam Pridgeon de eadem, 10. Widow Hooton  
de eadem.

- 11 Widow Law de New Sleaford, 13. Petrum Stoakes de eadem,  
14. \* Widow Carre de eadem, 17. Thomam Ward de eadem,  
[et] 18. \* Thomam Litster de eadem—sine licencia &c.
- 19 Susannam Bulley de Digby, 27. Robertum Cox de Kelby,  
28. Johannem Cox seniore de eadem, 29. Henricum Hill  
juniore de eadem, 30. Johannem Cox juniore de eadem,  
[Page 57] 31. Henricum Hitchcocke de Ingoldsby, 32.  
Johannem Storey juniore de eadem, 51. Widow Dowager  
de Old Sleaford, 52. Margareta Bennitt de Heckington,  
53. Robertum Armstead de Blanckney, 54. Thomam  
Stennitt de Ewerby, 56. Willelmum Wiles juniore de  
eadem, 56[sic]. Elizabetham Wildman de Foston, 57.  
\* Willelmum Pine de Bennington Longa, fine remitted,  
58. \* Willelmum Costall de eadem, fine (xxs. pro pauperibus<sup>c</sup>)  
(1s. 6d.<sup>m</sup>), 60. Widow Howlett de Doddington, 64.  
\* Willelmum Turnepenny de Dockdike, fine remitted, 65.  
Ricardum Burrell de Heighington, 66. \* Johannem  
Clarke de Wellingore.

## PLURIES CAPIAS.

Peter Waters de Heckington, shooting pigeons.

## ALIAS CAPIAS, CHRISTMAS '74.

- 9 Robertum Cox de Kelby, 10. Johannem Cox seniore de  
eadem, 11. Johannem Cox juniore de eadem, 12.  
Henricum Hill juniore de eadem.

## PLURIES CAPIAS, MICHAELMAS '74.

- 1 Willelmum Applewhite de Hale Parva.  
3 Ricardum Pridgeon de Wellingore, insultum super constabu-  
larium.  
2 \* Robertum Colby de Walcott, (Timberland Thorpe assessmen-  
tum solutum<sup>i</sup>), 3. Symon Dixon de eadem, 4. Robertum  
Maure de eadem—assessmentum Walcott.  
1 Georgium Saule de Ewerby, rescous.  
2 \* Abra. Craven de Blanckney (Digby<sup>i</sup>), insultum [super] Anthon-  
ium Winter.

## Page 58. TRAVERSE ET VENIRE FACIAS AQUARD'.

- 1 Johannes Lodington de Silke Willowby generosus (habet  
ultimum diem<sup>m</sup>).  
2 Thomas Stephenitt de Dirrington yeoman (retr<sup>m</sup>).

## RECOGNITIONES.

- \* Cornelius Cockitt de New Sleaford in xli. pro bono gestu,  
(5s. in part<sup>m</sup>).  
Willelmus Allen junior de Hale Parva in xxli. ad respondendum.  
Nathaniel Singleton de eadem in xxli. ad respondendum.  
(Thomas Newcome de Coleby, [et] Johannes Abbot de Navenby  
tenta de novo per eosdem<sup>i</sup>)

Mr Ellis.

- \* Jonathan Feild sen de Rowston pro pace versus Johannem  
Bellemitt, (insolut. iis. ).

Mr Hobson.

- \* Edwardus Bee de Hough super Montem pro pace versus Edwardum Read (insolut. iis.<sup>m</sup>). (tenta de novo Carolo Brandon et Willelmo Waring in *5li.*<sup>1</sup>)
- \* Robertus Harwood de Longe Bennington pro bono portu versus Carolum Brandon de eadem pro verbis abusus. (insolut. iis.<sup>m</sup>.)
- \* Johannes Roberts senior de Longe Bennington ad proseguendum versus Dorothy uxorem William Hall de eadem for a hempen sheet, &c. (d', ad proseguendum<sup>m</sup>).
- \* Dorothy the wife of William Hall of Longe Bennington ad respondendum. (insolut. iis.<sup>m</sup>).
- \* Willelmus Berrisford de Anwicke in *xli.* pro pace (solut.<sup>m</sup>).
- \* Willelmus Watkin de Scredington in *xli.* ad respondendum.
- \* Sarah uxor Thome Presgrave de eadem ad respondendum.

Page 59.

- \* Symon Chamberlaine de Ruskington generosus in *xxli.* pro pace.
- \* Johannes Watkin de Scredington in *xli.* ad pacem.
- \* Laurentius Presgrave de eadem in *xxli.* ad pacem.
- \* Nicholaus Watkin de eadem *xxli.* ad pacem.
- \* Maria Caddy de eadem in *xxli.* ad pacem &c.
- \* Thomas Presgrave de eadem in *xli.* pro pace.

Sir Fr. Fane.

- \* Elizabeth Hare de South Rawsby in *xli.* ad respondendum bono portu (tenta de novo per Thomam Hare maritum et Jer. Olliver in *xli.*<sup>1</sup>).
- \* Carolus Brandon de Long Bennington in *xxli.* pro bono gestu. Ordered Mr Sharpe haue 5 marke towards the repaire of the Shire Hall (the Castle<sup>e</sup>) of Lincoln shire &c. to be paid by the Marshalsey &c.

Page 60.

LINCOLNE	GENERAL SESSION OF THE PEACE, HELD AT
KESTEVEN	FOLKINGHAM, 4 OCTOBER 1675, BEFORE WILLIAM
FOLKINGHAM	TROLLOPE, BART, HENRY HERON KNIGHT OF
MICHAELMAS	THE BATH, AND OTHER JUSTICES.

1675

#### INDICTAMENTA ET PRESENTAMENTA.

- 1 Johannes Tooley de Baston waterman, [et] 2. Bridgetta Tooley uxor eius—pro insultu et affraia in & super quendam Bartholomeum Gray contra pacem &c.
- 3 Bartholomeus Sheckley de Castle Bytham pro consimili insultu &c. in & super quendam Samuelem Ashwell contra pacem &c.
- 4 Johannes Norman de Somerby die capcionis quoddam periculosum culmen in domo sua erexit cuius vertex est inferior alteri parti edificij ad graue periculum aliorum inhabitantium ac contra ac pacem &c. (Distringas<sup>m</sup>).

- 5 Thomas Woods de Burton labourer pro consimili ut Tooley in et super Henricum Birch contra pacem &c. (Capias<sup>m</sup>).  
 6 Jonas Handley de Osburnby, 7. Robertus Brelsworth de eadem, 8. Richardus Handley de eadem, [et] 9. Johannes Kinge de eadem—for withholding and deteyning from Martha the wife of Thomas Hodgkin the summe of 14s. wages for looking to one Sicily Seagrave in her sickness &c.  
 10 Thomas Dawson de Syston pro fensura irreparata iuxta communem viam &c. (Distringas<sup>m</sup>).  
 11 Thomas Bennit de Folkingham pro non escoriando quendam rivulum ex clauso de le parsonage ad graue nocumentum &c. (Distringas<sup>m</sup>).

Page 61.

- 12 Stephanus Baker de Markett Deeping pro custodiendo falsa pondera ad deceptionem legiorum populorum domini Regis ac contra pacem &c.  
 13 Johannes Steneby de Doddington in comitatu Roteland quia secundo die Octobris instantis unam collyram panis triticei (anglice white bread) vendidit et utteravit que quidem collyra carebat separalibus uncis de debito pondere contra formam statuti &c.  
 14 Johannes Hopkins de South Wytham quia primo die Aprilis ultimo preterito apud Wytham predictam duxit in uxorem quendam Annam Hopkins viduam nuper uxorem et relictam patris sui ad malum exemplum aliorum et contra formam &c.  
 15 Johannes Speet de Burton Coggles, 16. Ellena Parkinson de Westby, 17. Johannes Gunthorpe de Castle Bytham, 18. Zacharia Walbancks de Hacconby, 19. \* Robertus Towers de Swayton, [et] 20. Jonas Drewry de eadem—pro non veniendo ad ecclesias parochiales per spatium trium dierum dominicorum nunc ultimorum preteritorum contra formam &c.  
 21 \* Willelmus Lets de Wilsford pro ingrossando catalla super informacionem Stat: Edwardi 6.

DEFAULTUM SUPER RECOGNITIONEM.

Ricardus Ashby de Swinstead quia non comparuit &c.

EXITUS.

Johannes Pell de Rippinghale vs., [et] Franciscus Beale de South Wytham vs.

FINES.

Robertus Allen de Bassingthorpe pro quodam fine solut. vic. vs.

Thomas Sansom pro consimili insoluto adhuc vs.

Page 62.

EXITUS.

Henricus Robinson de Manthorpe vs., Johannes Cummins de Tofte vs., Nicholaus Towers de Couthorpe vs., Thomas Pullen de Irnham vs., Thomas Ashwell de Corby vs., Johannes Gamble de Levington vs., Willelmus Stephenson

de Osgodby vs., [et] Thomas Deepup de Wytham super  
le Montem vs.—\*  
Willelmus Belton de Pointon, Johannes Seagrave de eadem,  
Willelmus Bromitt de eadem, [et] Johannes Osling de  
eadem—pro tracing hares &c.  
Johannes Tooley de Baston manucaptor et uxor.  
Thomas Pecke de eadem [et] Willelmus Tyres de eadem,  
manuaptiores.

Page 63.

FOLKINGHAM, CHRISTMAS 1675.

VENIRE FACIAS, MICHAELMAS '75.

- 1 — Johannem Tooley de Baston [et] 2. — Bridgetta Tooley de eadem—pro assaultu.
- 3 \* Bartholomeum Sheckley de Castle Bytham pro consimili.  
DISTRINGAS.
- 4 \* Johannes Norman de Somerby pro periculoso camino &c.,  
fine *xiid.*, solut. vic.
- 10 \* Thomas Dawson de Syston, fensura, fine *xiid.*, solut. vic.
- 11 \* Thomas Bennitt de Folkingham, rivulus &c., agreed.  
VENIRE FACIAS.
- 6 \* Jonas Handley de Osburnby, 7. \* Robertus Brelsworth de eadem, 8. \* Ricardus Handley de eadem, [et] 9. \* Johannes Kinge de eadem—pro vadiis Hodgkin, fine remitted, wages paid ut per certificatum.
- 5 \* Thomas Woods de Burton Coggles labourer, assaultum, fine remitted. (*Capias<sup>m</sup>*).
- 12 Stephanus Baker de Market Deeping, falsa pondera.
- 13 Johannes Steneby de Doddington in comitatu Roteland, panis.
- 14 Johannes Hopkins de South Wytham.
- 15 \* Johannes Speight de Burton Coggles.
- 16 Ellena Parkinson de Westby.
- 17 Johannes Gunthorpe de Castle Bytham.
- 18 Zacharias Walbancks de Hackonby.
- 19 \* Robertus Towers de Swayton.
- 20 — Jonas Drewry de eadem (*d<sup>m</sup>*).
- 21 \* Willelmus Lets de Wilsford pro ingrossando, petit licenciam ad componendum.
- 22 Ricardus Sooley de Threekingham &c. pro recusando laborare.

Page 64.

CAPIAS MIDSUMMER '75.

- 1 Robertus Allen de Bassington [*sic*], fine paid.
- 5 Jonas Drewry de Swayton, 3 Sundays.
- 8 \* Willelmus Hussey de Cawthorpe, 3 Sundays, finis solutus pauperibus.
- 9 Johannes Ashton de Horblyn, shovell of John Bryttaine.
- 10 \* Willelmus Hunt de Market Deeping, vadia.
- 11 \* Christopherus Nawle de eadem, incroaching, respitutus [*sic*].
- 13 \* Amantia Charity de Wilsthorpe, sine licencia.

- 16 Uxor Johannis Sheppard de North Wytham.  
 17 Ellen Parkinson de Westby widow, 18. Thomas Royston de Hollywell, 19. Maria Northan de eadem, 20. Ricardus Northan de eadem, [et] 21. Robertus Northan de eadem —3 S[undays].

## RECOGNITIONES.

Mr Syler.

= Thomas Moyses de East Laughton pro pace precipue versus Johannem Handley, (tenta de novem [*sic*] per eundem et Johannem Bauds<sup>l</sup>).

Sir William Trollope.

× Willelmus Bowman de Markett Deeping ad proseguendum versus Samuel Gan.

— Samuell Gan de Markett Deepinge ad respondendum pro felonia, (insolut<sup>m</sup>).

— Johannes Tooley de Baston ad respondendum et pro pace uxoris eius, (insolut<sup>m</sup>).

Ordered 'Graves pention bee suspended till made Tooley satisfaction.

\* Ricardus Hawkins de Manthorpe ad respondendum pro felonia, (insol<sup>m</sup>).

\* Willelmus Goldin de Manthorpe ad respondendum pro felonia, geese, (insol<sup>m</sup>).

\* Luce Ganne uxor Samuellis Gan de Market Deepinge ad respondendum et pro pace, (insolut<sup>m</sup>.)

\* Willelmus Holdinge junior de Manthorpe ad comparendum et respondendum pro bono portu, (insolut<sup>m</sup>).

\* Willelmus Wade de Manthorpe ad respondendum (insol<sup>m</sup>) [et]  
 \* Thomas Clarke de Thurlby in *xxli.* ad respondendum.

Mr Savills recognisances are in a paper by themselves.

Page 65.

SLEAFORD  
 MICHAELMAS  
 1675

GENERAL SESSION OF THE PEACE, HELD AT  
 SLEAFORD, 5 OCTOBER 1675, BEFORE THOMAS  
 HUSSEY BART, CHRISTOPHER NEVILL AND  
 WILLIAM YORKE, KNIGHTS, JOHN HOBSON AND  
 WILLIAM SAVILE, ESQUIRES.

## INDICTAMENTA.

- 1 Robertus Pecke junior de Bassingham, [et] 2. Thomas Ruth de eadem—pro custodiendo canes vocatos greyhounds et captando lepores cum eisdem contra formam statuti.
- 3 Idem Robertus Pecke, [et] 4. Idem Thomas Ruth—pro percutiendo et necando separales alios lepores cum fustibus & baculis ad magnum detrimentum & destructionem ludorum generosorum ac contra formam statuti &c.
- 5 Thomas Smyth de Carlton Scroope pro negligendo vigilias suas tam nocturnas quam diurnas contra &c.
- 6 Edwardus Watson de Aunsby existens constabularius eiusdem ville vagrantes & pauperes per vias inusuales ducit et vehit

contra consuetudinem & ad magnam oppressionem aliarum villarum ac contra &c.

- 7 Willelmus Dickonson de Swallow Beeke in parochia de Skellingthorpe 20<sup>o</sup> die Septembris ultimo preterito apud North Hykam communem carcerem pecuarium fregit & unam equam legitime captam liberavit contra pacem &c.
- 8 Johannes Good de Harmston 1<sup>o</sup> die Decembris ult' preter' apud Harmston 2 oves verveces [*wethers*] pretii cujuslibet 5s. de bonis Johannis Newcomb felonice furatus fuit contra pacem &c. (Capias<sup>m</sup>).

Page 66.

- 9 Robertus Sewell de Wellingore pro consimili ut Dickonson &c.
- 10 Alicia Cox de Eagle pro communi rixatrice et pro abusando quendam Martinum Colton et Elizabetham uxorem cum ignominiosis verbis contra pacem &c.
- 11 Maria Casking uxor Georgii Caskin de Wellingore, 12. Anna Pridgeon uxor Roberti Pridgeon de eadem, 13. Elizabetha Steele uxor Johannis Steele de eadem, 14. Daniell Brittain de Welbourne, 15. Uxor eiusdem Daniellis Brittain, 16. Henricus Hittchocke de Ingoldsby et uxor, 17. Johannes Storey de eadem et uxor, 18. Willelmus Pickworth de Helpringham et uxor, 19. Johannes Walker de eadem & uxor, 20. Edith Petchill de eadem vidua, 21. Johannes Granger de eadem et uxor eius, 22. Robertus Skellitt de eadem et uxor eius, 23. Maria uxor Willelmi Jenckinson de Hanworth Potter, [et] 24. Robertus Sherbourne de South Kyme generosus—quia non reparaverunt ad ecclesias parochiales per spatium trium dierum dominicorum contra formam &c.
- 25 \* Johannes Crosby senior de Walcott, 26. \* Johannes Crosby junior de eadem, 27. \* Willelmus Waite de eadem, 28. \* Henricus Blacke de eadem, 29. \* Ricardus Swallow de eadem, [et] 30. \* Ricardus Bellamy de eadem—quia tertio die Octobris ult' pret' et diversis aliis diebus et vicibus tam antea quam postea apud Billingay Walcott et alios locos in partibus et comitatu predictis equitaverunt et communiter equitant super die dominico et emerunt et vendiderunt super eosdem dies ad magnam profanacionem eiusdem ac contra formam statuti.
- 31 \* Vincentius Humfrye de Thorpe Tilney pro exercendo et occupando 2 firmas &c. ad sectam W. Wilson.  
Franciscus Foster de Haveram mill in parochia de Lessingham granum crescentem.

Page 67.

- 32 Willelmus Swanne senior de Scawpwicke, [et] 33. Willelmus Swanne junior de eadem—pro ingrossando catalla.
- 34 Willelmus Lets de Wilsford pro consimili &c.

EXITUS.

- \* Robertus Tayler de Heckington xs.

Anthוניus Browne de North Rawsby solutus vicecomiti  
iis. *vid.*

Thomas Smyth de Carlton Scroope xs.

Fines nulli.

Recognitiones ad placitandum nullae.

Page 68.

SLEAFORD CHRISTMAS 1675.

VENIRE FACIAS MICHAELMAS 1675.

- 1 \* Robertum Pecke juniorem de Bassingham, [et] 2. \* Thomam  
Ruth de eadem—(vs. apeece<sup>e</sup>) (in all 5s. sol' vicecomiti<sup>l</sup>).
- 3 \* Idem Robertus Pecke, [et] 4. \* Idem Thomas Ruth.
- 5 Thomas Smyth de Carlton Scroope.
- 6 \* Edwardum Watson de Aunsby, Fine xiiid.
- 7 Willelmum Dickinson de Skellingthorpe.
- 8 Johannem Good de Harmston. [Capias.<sup>m</sup>]
- 9 \* Robertum Sewell de Wellingore.
- 10 Aliciam Cox de Eagle.
- 11 Maria uxor Georgii Caskin de Wellingore. 3 S[undays].
- 12 Annam uxorem Roberti Prigeon de eadem.
- 13 Elizabetham uxorem Johannis Steele de eadem.
- 14 Daniele Brittain de Welbourne.
- 15 Uxorem eiusdem Daniellis Brittain.
- 16 \* Henricum Hitchcocke de Ingolsby & uxorem leva: [et] 17.  
\* Johannem Storey de eadem & uxorem le : fa :—exonerati.
- 18 Willelmum Pickworth de Helpringham & uxorem.
- 19 Johannem Walker de eadem & uxorem.
- 20 Edytham Petchill de eadem widow.
- 21 Johannem Granger de eadem & uxorem.
- 22 Robertum Skellit de eadem & uxorem.
- 23 Mariam uxorem Willelmi Jenckinson de Potter Hanworth.
- 24 Robertum Sherborne de South Kyme generosum.

SCIRE FACIAS.

\* Robertum Tayler de Heckington, [et] \* Thomam Smyth  
de Carlton Scroope.

Page 69.

Note—Memorandum to adjourne this sessions to Carlbye upon  
Tuesday come sennit by 10 att clocke.

RECOGNITIONES.

In Curia.

Jonathan Feilding de Rowston in xxli. pro pace versus  
Bellamit. (d<sup>m</sup>.)

\* Edwardus Bee de Hough super montem generosus in xxli.  
pro pace versus Read.

\* Elizabetha Hare de South Rawsby in xxli. pro pace versus  
Pridgeon.

(Sir William Trollope.

Willelmus Bowman de Markett Deepinge ad prosequendum  
versus Samuell Gunne<sup>e</sup>).

Sir Wm Yorke.

≡ Richardus Good de Heckington in *xxli.* ad respondendum.  
(*d<sup>m</sup>*)

\* Richardus Toller de Evedon in *xxli.* pro pace.

\* Johannes Toins de North Rawsby in *xxli.* pro pace.

\* Willelmus Tayler de Heckington in *xxli.* pro pace.

\* Thomas Lister de Sleaford in *xli.* ad respondendum. (*d<sup>m</sup>*)

\* Maria uxor eius ad respondendum. (*d<sup>m</sup>*)

\* Franciscus Curtis de Howell in *xxli.* ad respondendum.

\* Thomas Newball de Sleaford nova in *xxli.* pro bono gestu.  
(*tenta de novo*<sup>1</sup>)

— Richardus Kirkby de Howell in *xxli.* pro bono gestu.

\* Johannes Cooling de Great Hale in *xxli.* ad respondendum.

\* Robertus Bull de Heckington in *xx li.*

In Curia.

Cornelius Eminson de Sleaford nova in *xxli.*

Mr Savile.

\* James Small de Sleaford in *xxli.* ad respondendum.

\* Johannes Bennitt de Heckington *xli.* (*respited. estreat<sup>m</sup>.*)

Page 70.

Mr Hobson.

\* Mary Roberts de Bennington in *xxli.* pro pace &c.

\* Franciscus Mussen de Evedon super processum.

SCIRE FACIAS.

\* Johannem Hipwell de Howell pro Richardo Kirby, [et]

\* Willelmum Saule de Heckington pro Richardo Good—  
manuceptores.

\* Willelmum Swinscoe de old Sleaford pro exitu xs.

\* Thomam Lister de Sleaford nova & uxorem.

\* Johannem Emison de eadem, & Cornelius Badger de  
eadem—manuceptores.

\* Jonathon Feildson de Rowston.

\* Thomam Newcome de Colby, [et] Johannem Abbot de  
Navenby—manuceptores.

Memorandum—Titus Clarke de Heckington pro fensura &c.

Robertum Armstead de Blanckney pro tarberna [*recte taberna*]  
sine licencia &c.

Ricardus Jillam de Blanckney prosecutor.

Johannes Jackson de Horsington, [et] Johannes  
Broughton de eadem—manuceptores.

Thomas Duddick de Dockdike in parochia de Billingham pro  
carritagio fenum in cymba super die dominico &c.

Page 71.

LINCOLNE  
KESTEVEN  
FOLKINGHAM  
CHRISTMAS  
1675

GENERAL SESSION OF THE PEACE, HELD AT  
FOLKINGHAM, 10 JANUARY 1675-6, BEFORE  
WILLIAM TROLLOPE, BART, WILLIAM YORKE,  
KNIGHT, FRANCIS WINGFEILD, THOMAS  
HARRINGTON, LISTER TIGH AND JOHN HOBSON,  
ESQUIRES.

INDICTAMENTA &C.

- 1 Elizabetha Wilson de Ropsley widow quia die capcionis hujus inquisitionis apud Ropsley predictam communem tabernam cervisie sine licentia duorum justiciariorum pacis custodire super se assumpsit contra formam &c.
- 2 Thomas Hayther de Wilsford husbandman quia die capcionis &c. summam sex solidorum et trium denariorum super eum taxatam versus relevacionem militum mutilatorum et pro aliis domini Regis necessariis servitiis solvere recusavit &c.
- 3 Johannes Carter de Wilsford pro consimili 11s. 4d.
- 4 Johannes Gilbert de Aslackby 3 S[undays] &c. Recusans.
- 5 Elizabetha uxor Johannis Sheppard de North Wytham 3 S[undays].
- 6 Johannes Awsten de Stowe. 3 S[undays].
- 7 Bushell Longfoote de eadem for withholding and deteyning from John Boadman his late servant the summe of 7s. 9d. due Martinmas last &c.
- 8 Johannes Sooley de Threckingham pro recusando laborare secundum ratas allocatas per Justiciarios ad pacem &c.
- 9 Willelmus Belton de Pointon, 10. Johannes Seagrave de eadem, 11. Willelmus Brommitt de eadem, [et] 12. Johannes Osling de eadem—pro capiendo lepores cum canibus vocatis Greyhounds contra formam &c.
- 13 Edwardus Johnson de Manthorpe pro shooting geese &c.

Page 72.

ARRAINMENTA.

Samuel Ganne de Markett Deeping super arrainmentum suum placitavit non culpabilis juratores dicunt quod culpabilis ad valenciam xd. Flagellatur.

FINES.

De Johanne Norman de Somerby fine soluto vicecomiti 1s.  
De Thoma Dawson de Syston soluto vicecomiti 1s.

EXITUS.

- \* Samuel Ashwell de Castle Bytham xs. (d<sup>m</sup>).

RECOGNITIONES.

Thomas Moyses de East Loughton in xxli.

Willelmus Charles de eadem xli.

Johannes Banes de eadem xli.

Ordered that upon the ingagem<sup>t</sup> of Jane Baxter widow to secure the towne of Aslackby from charge by a bastard begott by John Christopher upon the body of Isabell Brommitt, he be released out of the house of correction.

Whereas Thomas Collye gentleman a pentioner is now dead  
 whoe had a yearlye pention out of (*three words illeg.*) Itt  
 is therefore ordered by the courte that Edward Wright of  
 Markett Deepinge gentleman whoe served his Ma<sup>tie</sup> shall  
 have a pention of ten pounds a yeare to bee paid quarterly  
 and his first quarter to be paid him att this sessions and this  
 shall be sufficient order for [the] treasurer.

Page 73.

LINCOLN. KESTEVEN. BOURNE. EASTER 1676.

VENIRE FACIAS CHRISTMAS '75.

- 1 Elizabetham Wilson de Ropsley widow.
- 2 \* Thomam Hayther de Wilsford, [et] 3. \* Johannem Carter de eadem—assessmentum solutum.
- 4 Johannem Gilbert de Aslackby.
- 5 Elizabetham uxorem Johannis Sheppard de North Wytham.
- 6 Johannem Awsten de Stowe.
- 7 \* Bushell Longfoote de eadem. Finis xiii<sup>d</sup>. solutus vicecomiti.
- 8 Johannem Sooley de Threckingham.
- 9 Willelmum Belton de Pointon.
- 10 Johannem Seagrave de eadem.
- 11 Willelmum Brommitt de eadem.
- [The last three entries have a cross against them].
- 12 Johannem Osling de eadem.
- 13 Edwardum Johnson de Manthorpe.

CAPIAS. MICHAELMAS '75.

- 1 \* Johannem Tooley de Baston.
- 12 Stephanum Baker de Markett Deeping.
- 13 Johannem Steneby de Doddington in Comitatu Roteland.
- 14 \* Johannem Hopkins de South Witham.
- 15 \* Johannem Speet de Burton Coggles.
- 16 Ellenam Parkinson de Westby.
- 17 Johannem Gunthorpe de Castle Bytham.
- 18 Zachariam Walbancks de Hackonby.
- 20 Jonam Drewry de Swayton.

ALIAS CAPIAS. MIDSUMMER '75.

- 1 \* Robertum Allen de Bassingthorpe.
- 5 Jonam Drewry de Swayton.
- 9 Johannem Ashton de Horblin.

Page 74.

- 16 Uxorem Johannis Shepheard de North Wytham.
- 17 Ellenam Parkinson de Westby widow.
- 18 \* Thomam Royston de Hollywell.
- 19 \* Maria [*sic*] Northen de eadem widow.
- 20 \* Richardus Northen de eadem.
- 21 \* Robertus Northen de eadem.
- 22 Francam [*sic*] Mussen de Bitchfeild.
- Thomas Crodling de Bourne in omnibus sex diebus defaultum fecit &c.

## RECOGNITIONES.

In curia.

- \* Thomas Moyses de East Laughton in *xxli.* pro pace &c.  
Thomas Clarke de Thurlby in *xxli.* ad respondendum.  
Samuell Ganne de Markett Deeping in *xxli.* ad respondendum.  
Willelmus Hawkins et Ricardus Sneath manucaptors.  
\* Henricus Bates Johannes Maydes in *xli.* ad placitandum &c.  
Finis 5s. solutus vicecomiti.

Syler armiger.

- \* Henricus Abbot de Bourne in *xxli.* pro pace versus Jer. Bacon.
- \* Robertus Adcocke de eadem in *xxli.* pro consimili.  
Willelmus Hakeman de Bourne predicta in *xxli.* pro bastardia  
Eliz. Rimington (d<sup>m</sup>). (Ordered he be continued till  
next session<sup>1</sup>).

Sir Wm Trollope.

- Thomas Buddle de Deeping Sancti Jacobi in *xxli.* pro bastardia  
super Annam Morland. [d<sup>m</sup>].
- Nicholaus Measure, [et] Symon Bucke—manucaptors in *xli.*  
uterque in *xxli.*
- Mr Trollope discharged of the office of Treasurer & pass his  
accounts upon Fryday 4th day of May next before Sr.  
Wm Trollope Richard Cust Esq. Wm Hyde Esq. or any  
two of them.

Page 75.

- Willelmus Osborne de Market Deeping in *xxli.* ad  
prosequendum. (prosequendum<sup>m</sup>).  
(Matheus Browne de Market Deeping *xxli.* ad respondendum.<sup>o</sup>)  
Ricardus Rippon ad sequendum. (prosequendum<sup>m</sup>).
- \* Thomas Martin de West Deeping in *xli.* ad respondendum.
- \* Bartholomeus Howse de Baston in *xxli.* pro bono gestu.  
Robertus Browne de Markett Deeping, [et] Matheus Browne  
de eadem—manucaptors. (d<sup>m</sup>.)
- \* Tho. Deepuppe de Baston in *xxli.* ad respondendum.

Hobson armiger.

- \* Georgius Moore de Syston in *xxli.* ad respondendum. (contin-  
uatum usque<sup>m</sup>.)
- \* Anthonius Gibson de Syston.

Mr Cust.

- \* Wm Levett de Castle Bytham in *xxli.* (sol<sup>m</sup>.)  
(Ordered that Mr John Quincey of Aslackby shall take uppon  
him & execute the office of treasurer of the maymed soldiers  
for the yeare following<sup>1</sup>.)

In curia.

- Jacobus Hardwick in *xxli.*, Jacobus White in *xxli.* [et]  
Willelmus Bull *xxli.*—ad sequendum traverse cum effectu.  
Ordered that Geo. Moore shall take upon him the office of  
constable for the towne of Syston or finde a man to execute  
within the space of a weeke next or to be bound over to  
the session to answer his contempt.

Ordered a warr<sup>t</sup> ag<sup>t</sup> John Christopher.

Ordered the Overseers of the poore of Aslacby & Milthorpe shall pay iis. per weeke to maintenance of the bastard begott upon Isabell Bromitt now in the house of Will<sup>m</sup> Bromitt unto him the said Wm Bromitt untill the court shall thinck fitt to order the contrary.

Ordered that John Hobson, Esq. shall execute the office of treasurer of Marshalsey for the yeare following & that Mr Syler pass up his accounts (and pay the money<sup>l</sup>) at Corby 11th inst.

Page 76.

LINCOLNE  
KESTEVEN  
SLEAFORD  
CHRISTMAS  
1675.

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 11 JANUARY 1675-6, BEFORE  
HENRY HERON, KNIGHT OF THE BATH, AND  
WILLIAM YORKE, KNIGHT.

INDICTAMENTA &c.

- 1 Johannes Storre de Claypoole dier quia die capcionis hujus Inquisicionis apud Claypoole predictam fensuras suas versus communem viam reparare neglexit ad graue nocumentum &c. ac contra &c.
- 2 || Robertus Vlliott de Metheringham pro obstupando [*recte* obstipando] communem viam &c.
- 3 Georgius Gentle de Metheringham predicta pro consimili viam pedestrem &c.
- 4 Thomas Wilson de Sleaford nova for deteyning from John Ashton the summe of 4s. wages due at Michaelmas last &c.
- 5 Bryan Berisford de Claypoole quia primo die Octobris ultimo preterito apud Claypoole predictam vi et armis communem carcerem pecuarium ibidem fregit & duos equulos (Anglice 2 colts) legitime detentos ad tunc et ibidem ad largum posuit contra pacem &c.
- 6 Edwardus Storey de Howell pro custodiendo tabernam sine licentia &c.
- 7 Ricardus Brinckley de Hale magna pro piscando super die dominico &c.
- 8 Georgius Gaskin de Wellingore yeoman 14s. constabularii assessmento &c.
- 9 Paulus Norman de Eagle, & 10. uxor eiusdem Pauli Norman—pro insultu & affraia in & [*super*] Martinum Colton constabularium eiusdem ville contra &c.
- 11 Ricardus Gillam de Blanckney weaver 18<sup>o</sup> Novembris ult' pret' apud Blanckney predictam unam ovem matrem pretii 4s. de bonis Johannis Tuxworth ad tunc &c. felonice furatus &c.

Page 77.

- 12 Josiah Myers de Evedon clerke, 13. Johannes Myers de eadem clerke, [et] 14. Ricardus Toller de eadem husbandman

—quia ipsi xx<sup>o</sup> die Novembris ult' pret' apud Evedon predictam vi & armis &c. quendam Jacobum Yorke ballium in execucione officii sui minati fuerunt et abusi fuerunt contra pacem &c.

- 15 Idem Ricardus Toller pro insultu &c. in & super predictum Jacobum Yorke & minando alios subditos domini Regis ventres et intralia sua perfodere et emittere (Anglice to lett their gutts out) contra pacem &c.
- 16 Titus Clarke de Heckington pro fensuris irreparatis apud Heckington &c.
- 17 Johannem [*sic*] Petchill de Carlton Scroope, 18. Thomas Everitt de West Willowby, 19. Johannes Killingley de eadem, 20. Benjamin Roper de eadem, [et] 21. Jona Wray de Fulbecke widow—3 S[undays]: Recusantes.
- 22 Willelmus Pickworth de Helpringham, 23. Johannes Walcott de eadem, 24. Johannes Granger de eadem, 25. Editha Petchill de eadem widow, 26. Henricus Sherborne de South Kyme generosus, 27. Robertus Sherborne de eadem generosus, 28. Jona Gym de Little Hale. 29. Willelmus Hooton de eadem, 30. Henricus Hitchcock de Ingoldsby, [et] 31. Johannes Storey de eadem—pro consimili &c.
- 32 Phillippus Pridgeon de Heighington, 33. Ricardus Clarke de Nocton, 34. Anna Hickson de Blanckney, 35. Willelmus Sutton de Walcott, [et] 36. Ellena Sutton de eadem spinster—pro consimili &c.

Page 78. ARRAINMENTA.

Ricardus Good de Heckington super arrainmentum suum placitavit non culpabilis juratores dicunt quod culpabilis. flagellatur &c.

Johannes Challenge de Anwicke super arrainmentum suum cognovit indictamentum legit et crematur &c.

#### ORDERS

Ordered that William Saule and Robert Tayler the present constables of Heckington doe pay unto George Stow and Richard Browne the summe of 2*li.* 12*s.* 1*d.* or show cause to the contrary &c.

Ordered that the overseers of the poore of Ewerby doe forthwith provide harbour and releife unto Edward Troope of Ewerby.

Ordered Edmund Hobb 40*s.* per annum and 10*s.* releife &c.

#### EXITUS.

- \* Wm Swinscoe de Old Sleaford xs. [et] \* Ricardus Hammond de Bassingham xs.

#### FINES.

De Edwardo Watson de Awnsby fine soluto vicecomiti xiii*d.*

Page 79. SLEAFORD. EASTER '76.

#### VENIRE FACIAS CHRISTMAS '75.

- 1 \* Johannem Storre de Claypoole. Finis iis. insolutus.
- 2 \* Robertum Vlliott de Metherringham.

- 3 \* Georgium Gentle de eadem.  
 4 ≡ Thomam Wilson de Sleaford.  
 5 \* Bryanum Berisford de Claypoole. Constable satisfyed &c.  
 6 ≡ Edwardum Storey de Howell.  
 7 \* Ricardum Brinckley de Hale magna.  
 8 Georgium Gaskin de Wellingore.  
 9 \* Paulum Norman de Eagle. agreed. (Finis 2s. 6d. Vic' insolutus<sup>c</sup>). Remitted.  
 10 \* Uxor [*sic*] eiusdem Pauli.  
 11 Ricardum Gillam de Blanckney.  
 12 ≡ Josiam Miers de Evedon.  
 13 ≡ Johannem Miers de eadem.  
 14 ≡ Ricardum Toller de eadem. 15. ≡ Eundum [*sic*] Ricardum Toller.  
 16 \* Titum Clarke de Heckington.

## CAPIAS MICHAELMAS '75.

- 5 \* Thomam Smyth de Carlton Scroope. submitted.  
 7 Willelmum Dickonson de Skellingthorpe.  
 8 Johannem Good de Harmston.  
 9 Aliciam Cox de Eagle.

## ALIAS CAPIAS MIDSUMMER '75.

- 2 Joshuam Leake de South Kyme.  
 6 Johannem Gibson de Swinderby. (mortuus<sup>m</sup>).  
 7 \* Christopherum Bancks de Walcott. agreed.  
 8 \* Edwardum Bancks de eadem. agreed.  
 Petrum Waters de Heckington

Page 80.

## RECOGNITIONES.

- Jonathan Feildson de Rowston in *xxli.* pro pace.  
 \* Thomas Lister de Sleaford nova in *xxli.* pro bono gestu.  
 \* uxor eiusdem Thome Lister in [*blank*] pro consimili.  
 Ricardus Gillam de Blanckney in *xxli.* ad respondendum pro felonia (d<sup>m</sup>).  
 \* Thomas Newball de Sleaford nova in *xxli.* pro bono gestu (rec' 3s.<sup>m</sup>).  
 \* Cornelius Emmison de eadem in *xxli.* ad respondendum.  
 — Johannes Barraclough de Heckington in *xxli.* ad respondendum.  
 Estreat. Johannes Bennitt et alii ad prosequendum.  
 Ezekiel Faulkner de Heckington in *xxli.* ad respondendum (default' pro feodo!).  
 Johannes Ridge de Willowby west in *xxli.* ad (respondendum<sup>c</sup>) prosequendum (prosequendum<sup>m</sup>).  
 \* Johannes Shelbourne de Bennington in *xxli.* ad respondendum.  
 \* Charles Laughton de Heckington in *xxli.* ad respondendum pro bastardia.  
 \* Elizabetha Enderby de Dirrington in *xxli.* ad respondendum.  
 Alice Farmer ad prosequendum.  
 Thomas Nicholson ad prosequendum.  
 \* Debora Needham de Helpringham in *xxli.* pro pace.  
 \* William Puller de Sleaford nova in *xxli.* pro pace.

≡ Maria uxor Willelmus [*sic*] Holderness de Ewerby in xxli. pro pace.

— Abraham Morris de Lincoln in xxli. ad prosequendum appeale. (exon<sup>m</sup>.)

Thomas Colby de Hale magna & Anne uxor eius pro victuallario malegubernato & disorderly &c. contra &c. [There is a hand in the margin against this entry].

Page 81.

4th Aprill 1676.

Paid in full court this day to the sherrife of the county by Sir Christopher Nevill knt. one of his Ma<sup>ties</sup> justices of the peace for the Kings Moity due upon a conviccion for an unlawfull conventicle ag<sup>t</sup> Abraham Morrice of Lincoln the summe of (3*li*.<sup>c</sup>) three pounds six shillings and eight pence.  
By mee Chr. Nevile.

11th July 1676.

Paid in full court this day to the sherrif of the county of Lincoln the summe of ten poundes by me Sir Christopher Nevile knt. one of his Ma<sup>ties</sup> justices of the peace of these parts and county due upon a conviccion of an unlawfull conventicle against Alice Bumby of Potter Hanworth widow and William Bumby her sonne and others.  
Chr. Nevile.

Page 82.

LINCOLNE  
KESTEVEN  
BOURNE  
EASTER  
1676

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, 3 APRIL 1676, BEFORE WILLIAM  
TROLLOPE BART, CHRISTOPHER CLAPHAM  
KNIGHT, FRANCIS WINGFIELD, JOHN HATCHER,  
WILLIAM HYDE, LISTER TIGH, JOHN HOBSON,  
RICHARD CUSTE & THOMAS FARMER, ESQUIRES.

#### INDICTAMENTA ET PRESENTAMENTA.

- 1 Johannes Pell de Bourne quia die capcionis hujus inquisitionis apud Cawthorpe summam unius solidi et duorum denariorum super eum legitime taxatam et assessatam ut guardianus pro terris pro filiis Willelmi Galloway defuncti pro constabularii Assessmento solvere recusavit &c.
- 2 Christopherus Naule nuper de Market Deeping quia vicessimo die Februarii Anno regni Caroli secundi xxvii<sup>o</sup> vi et armis &c. apud Deeping St Jacobi predictam clausum & solum cujusdam Thome Pickering adtunc et ibidem fregit et tres pedes soli predicti cum quodam aratro iniuste et illicite aravit scindit & subvertit Et ad usum suum proprium convertit et detinet contra pacem &c.
- 3 Ellena Parkinson de Westby widow quia non babtizavit quatuor liberos suos in ecclesia parochiale eiusdem ville &c. contra formam &c.
- 4 Maria Greenbury de Irnham, 5. Petrus Broughton de eadem, 6. Radulphus Hare de Bytham parva, [et] 7. Johannes

Shepperd de North Witham—quia . . . non reparaverunt  
ad ecclesias suas . . . infra tres menses.

Page 83.

- 8 Thomas Royston de Hallywell, 9. Maria Northen de eadem,  
[et] 10. Ricardus Northen de eadem—pro consimili.  
11 Jacobus White de Bourne, & 12. Jacobus Hardwicke de  
eadem—pro extortione (vide indictamentum) placitaverunt  
non culpabiles. Venire facias aquard'.  
13 Robertus Browne de Market Deeping pro feloniam &c. unum  
Gallum & unam Gallinam pretii 8*d.* de bonis &c. Willelmi  
Osborne generosi xx<sup>o</sup> Januarii ult' pret' &c. (fel<sup>m</sup>).

#### RECOGNITIONES DEFALTAE.

Robertus Browne de Market Deeping, [et] Matheus Browne de  
eadem ut manucaptors—quia non comparuit &c. Ideo  
&c. in misericordia domini Regis.

Thomas Buddle de Deeping St Jacobi.

Nicholaus Measure de eadem, [et] Symon Bucke de eadem—  
ut manucaptors &c. in xx*li.* uterque de novo.

Page 84.

LINCOLNE	GENERAL SESSION OF THE PEACE, HELD AT
KESTEVEN	BOURNE, 12 JULY 1676, BEFORE CHRISTOPHER
BOURNE	CLAPHAM, KNIGHT, R[ICHARD] CUST, LISTER
MIDSUMMER	TIGH, JOHN HOBSON, WILLIAM HYDE, ESQUIRES.
1676	

#### VENIRE FACIAS EASTER 1676.

- 1 \* Johannem Pell de Bourne. Submitted 1*s.* sol' vic'.  
2 \* Christopherum Naule de Market Deeping. Submitted 1*s.*  
sol' vic'.  
3 Ellenam Parkinson de Westby widow.  
4 Mariam Greenbury de Irnham.  
5 Petrum Broughton de eadem.  
6 Radulphum Hare de Bytham parva.  
7 Johannem Sheppard de North Wytham.  
8 Thomam Royston de Halliwell.  
9 Mariam Northen de eadem.  
10 Ricardum Northen de eadem.  
13 Robertus [*sic*] Browne de Markett Deeping pro feloniam.

#### RECOGNITIO.

Willelmus Bull de Bourne, — Jacobus Hardwicke de eadem,  
[et] — Jacobus White de eadem—in xx*li.* quilibet ad  
prosequendum cum effectu. (Fine 40*s.*<sup>m</sup>).

To adiourne to (Fryday<sup>e</sup>) Tuesday the 8th August next at  
Sleaford.

Page 85.

Willelmus Hakeman de Bourne in xx*li.* pro bastardia.

- \* Thomas Buddle de Deeping St Jacobi in 40*li.* pro consimili.

Clapham miles.

Ricardus Clarke de Deeping St Jacobi in *xxli.* ad (respondendum<sup>c</sup>) prosequendum (prosequendum<sup>m</sup>).

Savile armiger.

Johannes Walton et Brigett uxor ad prosequendum Alice Thirkill (prosequendum<sup>m</sup>).

\* Johannes Wilman de Milthorpe in *xxli.* ad pacem &c. versus Woods uxorem.

Hatcher armiger.

\* Robertus Sutton de South Wytham labourer in *xxli.* pro pace.

\* Stephanus Smyth de Bourne cordwayner in *xxli.* versus W. Tracy.

Er. Deligne armiger.

\* Henricus Allam de Burton Cogles in *xxli.* ad respondendum.

Hyde Armiger.

Thomas Buddle de Deeping St Jacobi ad respondendum pro bastardia *xlii.* Willelmus Buddle de Whittlesea infra insulam Eliensem in Comitatu Cantab'. *xxli.* (pro feloniam<sup>d</sup>). Robertus Budle de Deeping St Jacobi in *xxli.* ad performand' ord' justic' pacis &c.

Ordered that he pay 41s. the present charge.

Sir William Trollope.

Benjamin Hunt de Markett Deeping.

Page 86 [blank].

Page 87.

LINCOLNE  
KESTEVEN  
SLEAFORD  
EASTER  
1676

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 4 APRIL 1676, BEFORE THOMAS  
HUSSEY, BART, WILLIAM YORKE AND  
CHRISTOPHER NEVILLE, KNIGHTS.

# INDICTAMENTA &C.

- 1 Johannes Tingle de Hale magna quia vicesimo quarto die Septembris ult' pret' apud Hale predictam vigilias suas nocturnas agere neglexit contra formam &c.
- 2 Thomas Duddicke de Dockdike quia die capcionis hujus inquisitionis apud Dockdyke predictam summam quinque solidorum et quatuor denariorum super eum Assessatam pro constabularii Assessmento ibidem solvere neglexit &c.
- 3 Thomas Law yeoman de Wellingore pro consimili 1s. 10d.
- 4 Thomas Gilden de Hale magna pro consimili 4s. 2d.
- 5 \* Johannes Shelborne de Burton Pedwardine 20<sup>o</sup> die Februarii apud West Willowby unum indusium (Anglice a hempen shirt) ad valenciam *xd.* de bonis &c. Jacobi Archer felonice furatus fuit &c. contra pacem &c. (pro feodo<sup>m</sup>).
- 6 Johannes Kirtland de Old Sleaford for deteyning from Francis Walkwood de Evedon the summe of eleven shillings wages due at Lady Day last &c.

- 7 \* Willelmus Syndell de Sleaford nova quia xxvii die Marcii ult' pret' vi et armis &c. apud Sleaford predictam tria vellera vetulina ad valenciam 15s. de bonis &c. Ricardi Spencer iniuste et illicite cepit &c.
- 8 \* Thomas Colby de Hale magna & 9. \* Anna Colby uxor eius—quia die capcionis &c. apud Hale predictam communem tabernam admissi custodire domum suam malegubernatam esse permiserunt contra &c.

*Page 88.*

- 10 Thomas Duddike de Dockdike predicta pro vehendo bona in cymba sua in communi paludine super die dominico contra &c.
- 11 Robertus Armstead de Blanckney pro custodiendo communem domum tiplacionis sine licentia duorum justiciariorum pacis contra formam &c.
- 12 Willelmus Ward de Sleaford pro insultu et rescusso super Jeremiam Olliver Ballivum Vicecomitis predicti prout per indictamentum &c.
- 13 Willelmus Allen junior de Hale pro defamando quendam Johannem Raistricke et vocando eum forsworne knave et alia enorma juramenta &c.
- 14 Thomas Everitt de West Willowby, 15. Rebecca uxor eius, 16. Johannes Killingley de eadem, 17. Benjamin Roper de eadem, 18. Johannes Petchill de Carlton Scroope, 19. [blank] Reade de Hougham widow, 20. Johannes Day de Marston generosus, [et] 21. Lawrentius Barton de eadem—pro non veniendo ad ecclesias parochiales per spatium trium dierum dominicorum &c.
- 22 Willelmus Allen de Scawpwicke, 23. Davidus Foggaty de eadem, 24. Johannes Codde de Billingham, 25. Johannes Squire de Metheringham, 26. Thomas Hummerstone de eadem, 27. Petrus Hoggard de eadem, [et] 28. Edwardus Ulliott de eadem—pro consimili.

#### ARRAINMENTA.

Elizabetha Enderby super arrainmentum suum placitavit non culpabilis Juratores dicunt quod non culpabilis nec fugit &c.

*Page 89.*

#### EXITUS NULLI. FINES NULLI.

Solutum vicecomiti in curia ad hanc sessionem pro tertio parte Domini Regis super conventiculum Abrahami Morrice per Christopherum Nevile militem. iiii. vis. viiid.

#### DEFAULT' RECOGNITIONES.

De Johanne Bennitt de Heckington quia non prosecutus fuit versus Ezekielum Faulkner sicut &c. Ideo &c. xli.

Page 90.

SLEAFORD  
MIDSUMMER  
1676

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 11 JULY 1676, BEFORE FRANCIS  
FANE, KNIGHT OF THE BATH, THOMAS HUSSEY,  
BART, C[HRISTOPHER] NEVIL, & WILLIAM  
YORKE, KNIGHTS, WILLIAM SAVILE AND JOHN  
HOBSON, ESQUIRES.

VENIRE FACIAS EASTER '76.

- 1 \* Johannem Tingle de Hale magna. Constable satisfyed.
- 2 Thomas Duddicke de Dockdyke.
- 3 — Thomas Law de Wellingore.
- 4 \* Thomam Gilden de Hale magna. Assessmentum solutum.
- 6 \* Johannem Kirtland de Old Sleaford. mony paid.
- 7 \* Willelmum Symdell de Sleaford nova.
- 8 \* Thomas Colby de Hale magna.
- 9 \* Anna uxor eius &c.
- 10 Predictus Thomas Duddicke de Dogdyke.
- 11 Robertus Armstead de Blanckney.
- 12 Willelmus Ward de Sleaford nova.
- 13 Willelmus Allen junior de Hale parva.
- 14 Thomas Everitt de West Willowby.
- 15 Rebecca uxor eius.
- 16 Johannes Killingley de eadem.
- 17 Benjamin Roper de eadem.
- 18 Johannes Petchill de Carlton scroope.
- 19 [blank] Read de Hougham widow.
- 20 \* Johannes Day de Marston generosus.
- 21 \* Laurencius Barson de eadem.
- 22 Thomas Pryer de Hale magna et Anna uxor [eius].  
Robertus Carrington de Heckington Parkhouse pro vadiis  
Roberti Coe Swinshead.

Page 91.

RECOGNITIONES.

Ezekiel Faulkner de Heckington.

Robertus Tayler de eadem [et] Willelmus Saule de eadem—  
manuaptiores.

RECOGNITIONES CAPTAE IN CURIA.

- \* Anthonius Winter de Dirrington tenetur domino Regi in xx*li*.  
Anthonius Winter de Digby junior in *xli*. [et] Johannes  
Willerton de Digby in *xli*.—manuaptiores pro bono gestu.
- \* Anthonius Winter de Digby tenetur domino Regi xx*li*.  
Anthonius Winter de Dirrington tenetur in *xli*. [et] Johannes  
Willerton de Digby *xli*.—manuaptiores pro bono gestu.
- \* Johannes Willerton de Digby tenetur domino Regi in xx*li*.  
Anthonius Winter de Dirrington in *xli*. [et] Anthonius  
Winter de Digby in *xli*.—manuaptiores pro bono gestu.
- \* Robertus Greenough de Billingay in 40*li*.  
Isaac Sandall de Lincoln tenetur in 20*li*.  
Willelmus Waring de Hough super montem in 20*li*.

Page 92.

LINCOLNE

KESTEVEN

(BOURNE<sup>1</sup>)

FOLKINGHAM

(MIDSUMMER<sup>1</sup>)

MICHAELMAS

1676

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, 12 JULY 1676, BEFORE CHRISTOPHER  
CLAPHAM, KNIGHT, WILLIAM HYDE, LISTER  
TIGHE, RICHARD CUST, AND JOHN HOBSON,  
ESQUIRES.

#### INDICTAMENTA, &c.

- 1 Ricardus Ashwell senior de Castle Bytham yeoman quia in 5<sup>o</sup> diebus legitime appunctis pro reparacione regiarum viarum in Bytham predicta omnino defaltum fecit contra &c.
- 2 Thomas Buddle junior de [Deeping] St Jacobi 24 Goslings 4<sup>o</sup> Marcii apud Deeping predictam ad valenciam 10s. felonice cepit &c. contra pacem &c. (Fine 1s. 6d. sol' vic<sup>1</sup>).
- 3 \* Johannes Burton de Bourne baker quia primo die Julii apud Bourne predictam communem Regiam viam in quodam loco vocato Marbecke cum quadam fossa ejecta obstipavit et obstruxit ad graue nocumentum &c. ac contra pacem &c.
- 4 Elizabetha Heifeild de Osburnby vidua quia primo die Junii apud Bourne quandam fossam (clay<sup>1</sup>) effodit in communi via ibidem ad graue periculum et nocumentum inhabitantium &c. ac contra &c. (fin' 4s. sol'<sup>1</sup>).
- 5 \* Robertus Cursom senior de Deeping St Jacobi, 6. \* Margaretta uxor eius, 7. \* Anna uxor Roberti Catlyn de eadem, 8. \* Maria uxor Georgii Brainsby de eadem [et] 9. — Jona Edger de eadem vidua (d<sup>m</sup>)—pro riota et insultu et affraia super quandam Elizabetham Styles contra pacem &c.

Page 93.

- 10 \* Tymotheus Cocke de eadem generosus pro insultu et affraia super Thomam Bayley supervisorem pauperum eiusdem ville contra pacem &c. (Fin' xs. sol. vic.<sup>1</sup>).
- 11 Thomas Heads de South Wytham, 12. Johannes Hopkins de eadem, 13. Johannes Sympson de Corby, 14. Johannes Gunthorpe de Castle Bytham, 15. Ellen Parkinson de Westby, 16. Maria Rimmington de eadem, 17. Elizabetha Arnold de Hawthorpe, 18. Jacobus Walbancks de eadem, 19. Petrus Broughton de eadem, 20. Thomas Ball de Irnham, 21. Samuel Key de eadem, [et] 22. Jerome Bertie de Lounde generosus—per tres menses.
- 23 Franciscus Laurence de Morton, [et] 24. Johannes Tayler de Esthorpe—pro Assessmento Regis viis. in Elsthorpe.

#### ARRAINMENTA.

Alicia Thurkill de Haysby spinster super arrainmentum  
Confitetur feloniam et flagellatur &c.

#### FINES.

De Christophero Naule de Deeping Market et aliis sol' vic' iis.

## EXITUS NULLI.

## DEFAULT' RECOGNITIONIS.

Thomas Buddle de Deeping St Jacobi (junior<sup>d</sup>) in *xli*.

Ricardus Clarke de eadem in *vli*. [et] Thomas Baker de eadem *vli*. manucaptors.

Page 94.

LINCOLNE  
KESTEVEN  
SLEAFORD  
MIDSUMMER  
1676

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 11 JULY 1676, BEFORE FRANCIS  
FANE, KNIGHT OF THE BATH, THOMAS HUSSEY,  
BART, WILLIAM YORKE, CHRISTOPHER NEVILE,  
WILLIAM SAVILE AND JOHN HOBSON, ESQUIRES.

## INDICTAMENTA.

- 1 \* Franciscus Harston de West Willowby quia existens supervisor Regiarum viarum in Willowby predicta die capcionis &c. in officio suo negligenter et remisit se gessit contra formam &c.
- 2 Avery Morris de Hale parva quia die capcionis hujus inquisitionis apud Hale predictam communem tabernam cervisie sine licencia duorum justiciariorum pacis contra formam statuti &c.
- 3 \* Willelmus Carleton de Sleaford nova pro assessmento pauperum &c.
- 4 \* Thomas Barnes de Sleaford nova pro permittendo illegitimos ludos &c.
- 5 \* Robertus Greenough de Billingay, [et] 6. \* Thomas Newball de Sleaford nova—pro insultu et affraia super Dianam Blackwell &c.
- 7 \* Thomas Maddison de Heckington quia primo die Aprilis ult' pret' apud Heckington predictam cum quodam cane chasiavit et unum ovem vervecem pretii 14s. ad tunc voravit (Anglice did worry) ad graue dampnum &c. ac contra &c.
- 8 \* Georgius Barlyman de Ingoldsby quia die capcionis hujus inquisitionis apud Ingoldsby summam quatuor solidorum cuidam Roberto Smyth capitali constabulario pro liberando warrantum secundum &c. solvere neglexit &c.

Page 95.

- 9 \* Idem Georgius Barlyman existens constabularius eiusdem ville officium suum neglexit in non returnando billam suam pro assias' (? assisa) &c.
- 10 Robertus Cocke de Kelby, 11. Johannes Cocke de eadem, 12. Henricus Hill de eadem, 13. Willelmus Pickworth de Helpringam, 14. Johannes Walcott de eadem, 15. Robertus Skellitt de eadem, 16. Thomas Pryor de Hale magna, 17. Margerea Carnell de eadem, 18. Thomas Hooton de Hale parva, 19. Jona Sisson de eadem uxor W. Sisson, 20. Henricus Sherborne de South Kyme, 21. Johannes Petchell de Carlton Scroope, 22. Thomas Everitt de West

Willowby, 23. Johannes Killingley de eadem, 24. Benjamin Roper de eadem, 25. Robertus Roper de eadem, 26. \* Elizabetha uxor Francisci Lane de Fulbecke, 27. — Jona Wray de Fulbecke vidua, 28. \* Elizabetha Lumme de eadem, 29. \* Maria uxor Roberti Huddleston de eadem, 30. Johannes Richardson de Hough, 31. Johannes Pullen de eadem, 32. \* Johannes Walley de Normanton, 33. Willelmus Massey de Sutton in parochia de Beckingham, 34. Randolphus Pattison de Beckingham, 35. Ricardus Burditt de eadem, 36. = Johannes Constable de Hough armiger, 37. Anna Browne de eadem spinster, 38. Margaretta Gibbons de eadem, 39. = Johannes Grey de eadem, 40. Georgius Sympson de eadem miller, 41. Juditha Sympson de eadem spinster [et] = Arthurus Langworth de eadem—3 dies dominicos. Fin' sol' pauperibus.

*Page 96.*

- 42 Jana uxor Roberti Simpson de eadem, 43. \* Arthurus Langworth de Fulbecke generosus, 44. Maria Leake de Fenton widow, [et] 45. Mrs Reade de Hougham widow—pro consimili &c.
- 46 Johannes Codd de Billingham, p, 47. Ricardus Clarke de Nocton, o, 48. Willelmus Woods de Blanckney, p, 49. Robertus Carlton de eadem, p, 50. Anna Hickson de eadem, p, 51. Willelmus Sutton de Walcott, o, 52. Ellen Sutton (uxor eius<sup>1</sup>) de eadem, o, 53. Phillippus Pridgeon de Heighington, run away (gon away<sup>1</sup>), 54. Francesca Howard de Dunston widow, o, 55. Robertus Warriner de eadem (generosus<sup>o</sup>), p, 56. David Vocaty de Scawpwicke generosus, o, 57. Willelmus Allen de eadem generosus, o, 58. Ricardus Jessup de Blanckney, o, 59. \* Johannes Boltflower de Potter Hanworth, exoneratus, 60. Henricus Nutt de eadem, p, 61. Alicia Bunby de eadem widow, o, 62. Willelmus Bunby de eadem husbandman, o, 63. Nicholaus Johnson de eadem, p, 64. Thomas How de eadem, p, 65. Johannes Hoggerd de eadem, p, 66. Johannes Dawbney de eadem, o, 67. Ricardus Cooke de Nocton, o, 68. Johannes Squire de Metheringham, o, 69. Edwardus Villot de eadem, o, 70. Thomas Hummerstone de eadem, o, 71. Mathcus Archer de eadem, o, [et] 72. Petrus Hoggard de eadem, p—pro consimili &c.

*Page 97.*

- 73 Franciscus Palmer de eadem, o, 74. Jana Carter de eadem, p, 75. Anna Pister de eadem, p, 76. Franciscus Watson de Donston, o, 77. Eastera uxor eius, o, 78. Willelmus Webster de eadem, p, 79. Edwardus Bunby de Potter Hanworth, o, 80. Elizabeth Bunby de eadem spinster, p, 81. Maria uxor Willelmi Hutchinson de Nocton, o, [et] 82. \* Anna Bunby de Potter H[anworth] spinster, p—pro consimili &c.

## ARRAINMENTA.

Robertus Harvy de Marston super arrainmentum suum fatetur feloniam flagellatur apud Sleaford.

Johannes Standish de Sleaford nova super arrainmentum suum placitavit non culpabilis et posuit se: Juratores dicunt quod non culpabilis. Ideo &c. exoneratus.

## EXITUS.

Thomas Stennitt de Ewerby Thorpe insolutus xxs.

Matheus Kirk de Swarby insolutus xs.

Thomas Inman de Aunsby insolutus xs.

## FINES.

Thomas Barnes de Sleaford nova Fin' sol' vicecomiti xs.

Page 98. FOLKINGHAM. MICHAELMAS 1676.

## RECOGNITIONES.

Clapham miles.

Matheus Catell de Langtofte generosus in xxli. ad respondendum.

Prosequendum. Johannes Measuers de Markett Deeping ad prosequendum. Estreat (d<sup>m</sup>).

Cust armiger.

Jona Edger de Deeping St Jacobi in xxli. ad respondendum pro bono &c. (d<sup>m</sup>).

\* Robertus Cursom de Deeping St Jacobi in xxli. pro consimili.

\* Margaretta uxor eius de eadem (*blank*) pro consimili.

\* Thomas Heynes de eadem in xxli. ad respondendum pro consimili.

\* Maria Brainsby uxor Georgii Brainsby in [*blank*] pro consimili.

\* Elizabeth uxor Daniellis Styles in [*blank*] pro pace &c.

\* Anna uxor Roberti Catlyne de eadem in xxli. pro bono gestu &c.

Capt. Harrington.

\* Henricus Abbott de Stenfeild in xxli. ad respondendum.

\* Matheus Beetson de Elsthorpe in xxli. ad respondendum. (de novo Daniele Foster de Dowsby sol' xxli.<sup>1</sup>).

\* Ellen Harbey de Burton Coggles in xli. ad respondendum.

[*blank*] Constable de Burthorpe fine xs. solut' vicecomiti.

\* Thomas Jennings de Bourne discharged.

Page 99.

Henricus Collingwood de Allington in xxli. ad respondendum (d<sup>m</sup>).

Willelmus Burton de eadem in xxli. ad respondendum (d<sup>m</sup>).

× Ordered that John Harby de Burton Coggles be supprest from drawing and selling beare and ale. (facta<sup>m</sup>.)

Thomas Blackburne junior (de Navenby<sup>1</sup>) in (xxli.<sup>c</sup>), Thomas Blackburn senior xxli. [et] Johannes Kirkby de Stowe greene xxli.—pro comparando proxima sessione.

Page 100. SLEAFORD MICHAELMAS 1676.

\* Robertus Greenough submitted and fined 2s. vid. solutum vicecomiti.

- \* Maria uxor Thome Hopkinson de Billingay in ad respondendum [sic].
- Johannes Newcomb de Rowston [blank] ad respondendum.
- Jonathan Feisdson de eadem in xxli. ad respondendum.
- Willelmus Savidge de eadem in xxli. ad respondendum.
- Elizabetha Eldred de Sleaford in xxli. ad prosequendum (prosequendum<sup>m</sup>).
- Ordered the sonne of John Burroughs late of Bennington but now of Little Newarke be conveyed to his said father.
- + Ordered that the present Constable of Bennington pay the 10*li*. with charges betweene this and the next sub poena 20*li*.

Page 101.

LINCOLNE	GENERAL SESSION OF THE PEACE, HELD AT
KESTEVEN	FOLKINGHAM, 2 OCTOBER 1676, BEFORE WILLIAM
FOLKINGHAM	YORKE, KNIGHT, THOMAS HARRINGTON, RICHARD
(CHRISTMAS <sup>c</sup> )	CUST, WILLIAM SAVILE AND JOHN HOBSON,
(MICHAELMAS <sup>l</sup> )	ESQUIRES.

1676

INDICTAMENTA &c.

- 1 Franciscus Hills de Aslackby butcher quia existens admissus communem tabernam custodire primo die Septembris ultimo preterito et diversis aliis diebus & vicibus tam antea quam postea apud Aslackby predictam seprales personas in domo sua sedere et remanere permisit bibentes et tipulantes et sese aliter male gerentes contra formam &c.
- 2 Elizabetha Heifeild de Osburnby widow quia primo die Septembris ult' pret' apud Osburnby predictam et diversis aliis &c. quosdam vagrantes vagabundos et alios otiosas et periculosas personas in domo sua hospitavit et harboravit contra &c.
- 3 Jonathanus Heifeild de Osburnby predicta quia secundo die Septembris ult' pret' apud Osburnby predictam oves suas ad fenum cujusdam Francisci Bell de eadem iniuste et illicite et clandestine custodivit et fenum predictum depastus fuit et spoliavit ad graue dampnum ipsius Francisci Bell et contra pacem &c.
- 4 Idem Jonathanus Heifeild quia eodem die et anno apud Osburnby predictam oves suas ut fuerunt ducturi ad communem carcerem pecuarium pro damno faciendo ex custodia cujusdam Johannis Cole vi et armis injuste et illicite rescussit et ad largum posuit contra pacem domini Regis &c.
- 5 Thomas Watson de Aswarby for withholding and deteyning from him the said [sic] John Hall of Newton the summe of 45s. wages for digging of stone &c.
- 6 Robertus Fordham de Barholme generosus pro Constabularii Assessmentum 6s. 8*d*. recusando solvere &c.
- 7 \* Willelmus Greene de Osburnby, 8. \* Uxor eiusdem Willelmi Greene, 9. Robertus Towers de Swayton, 10. Johannes

Towers de eadem tayler, 11. Priscilla Towers de eadem spinster, [et] 12. Johannes Drewery de eadem Jonas & uxor [*sic*]*—*quia . . . non accesserunt ad ecclesiam parochialem per tres dies dominicos . . .

*Page 102.*

- 13 Maria Barker de Swayton widow, 14. Hana uxor Christopheri Brewster de eadem, & 15. Susanna uxor Jacobi Brand de eadem*—*pro consimili &c.

RECOGNITIONES DE NOVO.

Ellena Harby de Burton Coggles, [et] Daniel Foster de Dowsby generosus manucaptor in *xxli.**—*pro comparando et quod se bene geret [*sic*].

Thomas Blackborne junior de Navenby, Thomas Blackborne senior de eadem, *xxli.* [et] Johannes Kirkby de Stowe greene *xxli.**—*pro comparando proxima sessione &c.

ORDERS.

Ordered that Thomas Blackburne junior shall pay the summe of eight pence a weeke to Anne Fishers bastard childs mayntenance and the said Anne Fisher to pay *6d.* per weeke thereto and to give bonds with security to the towne of Hather for performance hereof.

DEFAULT' RECOGNITIONIS.

Henricus Collingwood de Allington in *xxli.* ad respondendum.

Willelmus Burton de eadem in *xxli.* pro consimili &c.

Jona Edger de Deeping St Jacobi *xxli.* bono gestu.

FINES.

De Thoma Tayler Constabulario de Burthorpe sol' vic' xs.

De Johanne Nayler de Horbling sol' vic' iis.

De Willelmo Dove de Horbling predicta sol' vic' iis.

De Timotheo Cocke de Deeping St Jacobi sol' vic' xs.

De Roberto Cursom de eadem et aliis sol' vic' iiis.

EXITUS NULLI.

*Page 103.*

LINCOLN

KESTEVEN

FOLKINGHAM

CHRISTMAS

1676

GENERAL SESSION OF THE PEACE HELD AT

FOLKINGHAM, 8 JANUARY 1676-7, BEFORE

WILLIAM YORKE, FRANCIS WINGFEILD, LISTER

TIGH, THOMAS FARMER, RICHARD CUST, WILLIAM

HYDE, [AND] WILLIAM SAVILE, ESQUIRES.

PROCESSUS PACIS DOMINI REGIS.

VENIRE FACIAS MICHAELMAS '76.

1 \* Franciscum Hill de Aslackby butcher. Fine *xiid.* solutus.

2 \* Elizabetham Heyffield de Osburnby widow.

3 \* Jonathanum Heiffeild de eadem husbandman.

4 \* Eundem Jonathanum Heiffeild.

5 \* Thomam Watson de Aswarby.

6 \* Robertum Fordham de Barholme generosum.

7 \* William Greene de Osburnby yeoman.

8 \* Uxorem eiusdem Willelmi Greene.

9 = Robertum Towers de Swayton husbandman.

- 10 Johannem Towers de eadem tayler.
- 11 Priscillam Towers de eadem spinster.
- 12 Jonas Drewry de eadem husbandman.
- 13 Mariam Barker de eadem widow.
- 14 Hanam uxorem Christopheri Brewster de eadem.
- 15 \* Susannam uxorem Jacobi Brand de eadem.

## CAPIAS MIDSUMMER '76.

- 1 \* Ricardum Ashwell senior de Corby or Castle Bytham, 5 boon dayes.
- 2 \* Thomam Buddle juniorem de Deeping St Jacobi, felonia goslings.
- 4 \* Elizabetham Heifeild de Osburnby widow, clay pit communi via.
- 9 \* Jonam Edger de Deeping St Jacobi, riot.
- 11 Thomam Head de South Witham, exitus xs. (Estreat, d<sup>m</sup>).
- 12 \* Johannem Hopkins de eadem.

*Page 104.*

- 13 Johannem Simpson de Corby, 14. Johannem Gunthorpe de Castle Bytham, 15. Ellenam Parkinson de Westby widow, 16. Mariam Rimmington de eadem, 16[sic]. Elizabetham Arnold de Hawthorpe, 17. Jacobum Walbancks de eadem, 18. Petrum Broughton de eadem, 19. Thomam Ball de Irnham, 20. Samuelem Key de eadem, 21. Hieronimum Bertie de Lound armigerum, 22. Franciscum Lawrence de Morton, 23. Johannem Tayler de Elsthorpe.

## ALIAS CAPIAS EASTER '76.

- 3 Ellenam Parkinson de Westby widow. 4. Mariam Greenbury de Irnham, 5. Petrum Broughton de eadem, 6. Radulphum Hare de Bytham parva, 7. Johannem Sheppard de North Wytham, 8. Thomam Royston de Hallywell, 9. Mariam Northen de eadem widow, 10. Ricardum Northen de eadem labourer, 13. Robertum Browne de Market Deeping pro felonia cock & hen.

## PLURIES CAPIAS '75 CHRISTMAS 1675.

- 1 Elizabetham Wilson de Ropsley widow. sine licencia.
- 4 = Johannem Gilbert de Aslackby.
- 5 Elizabetham uxorem Johannis Sheppard de North Witham.
- 6 Johannem Awstin de Stowe.
- 8 Johannem Sooley de Threckingham (pauper<sup>m</sup>).

*Page 105.*

## EXIGENT. MICHAELMAS '75.

- 12 + Stephanum Baker de Market Deeping, 16. Ellenam Parkinson de Westby, 17. Johannem Gunthorpe de Castle Bytham, 18. Uxorem Zacharie Walbancks de Hackonby, 20. Jonas Drewry de Swayton.

## MIDSUMMER '75.

- 5 Jonas Drewry de Swayton, 9. \* Johannem Ashton de Horblin.
- 23 \* Thomam Crodling de Bourne.

## EASTER '75.

- 1 = Thomam Hincks de Pointon fugit, 2. Thomam Shaw de Morton (exon<sup>m</sup>), 4. \* Petrum Inckley de Rippingale, 11. Danielelem Sherman de Morton, 13. Jonas Drewry de Swayton.

## CHRISTMAS '74.

- 3 × Robertum Foster de Corby, 10. × Henricum North de eadem, 13. × Edwardum Cockes de eadem, 14. × Thomam Sansom de eadem, 15. Thomam Dawson de eadem, 26. Rebeccam Pridgeon de Morton, 32. Radulphum Hare de Bytham parva.

## MIDSUMMER '74.

- 1 Edwardum Bingham de Petri Burgh, ingrossing.  
2 Johannem Pocock de Brigge End, drunck.  
3 Henricum Bayley de Castle Bytham, shooting.

Page 106.

## SCIRE FACIAS.

- \* Thomam Clarke de Thurlby. Samuelem Ganne de Market Deeping. Willelmum Hakeman de Bourne. Jacobum Hardwick de eadem. Jacobum White de eadem. Willelmum Bull de eadem. \* Thomam Buddle juniorem de Deeping St Jacobi. \* Ricardum Clarke de eadem, [et] \* Thomam Baker de eadem—manu captos. + Henricum Collingwood de Allington, (debent<sup>m</sup>). + Willelmum Burton de eadem. \* Jonam Edger de Deeping St Jacobi widow, (debent<sup>m</sup>). \* Johannem Mason de eadem butcher.

## RECOGNITIONES.

- \* Ellena Hareby de Burton Coggles in [blank] pro bono gestu, (debent<sup>mo</sup>).  
\* Thomas Blackburne junior de Navenby in [blank] pro comparendo &c.

Mr Tigh.

- \* Willelmus Guilliams de Swinestead in xxli. ad respondendum. Anthonius Nicholls de Somerby et Alicia Goffe ad prosequendum Tho. Baker (prosequendum<sup>m</sup>).

Mr Cust.

- \* Walter Foster de Braceborow in xli. pro pace.

Mr Saule.

- \* Thomas Hodgkin de Osburnby in xxli. pro pace [et] \* Mercia Hodgkin de eadem in xxli. pro pace—Prudence Greene (sol' cler<sup>m</sup>).  
\* Anna Beecrofte de Aslackby in xxli. ad respondendum pro bono gestu &c.

Page 107.

Ordered that Mr Nathaniel Hobson execute the remainder of the yeare as Treasurer of the Marshalsey in the roome of John Hobson esquire deceased &c.

Ordered that Miles be settled at Morton.

Page 108.

LINCOLNE

KESTEVEN

SLEAFORD

MICHAELMAS

1676

GENERAL SESSION OF THE PEACE, HELD AT

SLEAFORD, 3 OCTOBER 1676, BEFORE FRANCIS

FANE, KNIGHT OF THE BATH, CHRISTOPHER

NEVILLE, WILLIAM YORKE, KNIGHTS, AND JOHN

HOBSON, ESQUIRE.

INDICTAMENTA.

- 1 Thomas Thornton de Billingay butcher quia 21 die Septembris ult' pret' apud Billingay predictam in communi paludine ibidem vi & armis &c. tres juvencos de bonis et catallis cuiusdam Johannis Jackson ad tunc et ibidem injuste et illicite cepit et effugavit contra pacem &c.
- 2 Idem Thomas Thornton quia eodem die et anno vi & armis &c. apud Anwicke in parte [*sic*] in & super prefatum Johannem Jackson in pace dei &c. insultum et affraiam fecit et dictum Johannem Jackson ad tunc et ibidem verberavit &c. contra pacem &c.
- 3 = Alicia Groome de Heckington widow, [et] 4. = Thomas Bullard de eadem husbandman—quia die capcionis hujus inquisitionis apud Heckington predictam fensuras suas versus communem paludinem reparare neglexerunt ad grave nocumentum &c. ac contra &c.
- 5 Ezekiel Faulkner de Heckington quia primo die Junii apud Heckington predictam postes et repagula (Anglice the balks and rails) inter vaccarum pasturam et communem paludinem evulsit et prostravit et catalla sua per eandem effugavit contra &c.
- 6 Idem Ezekiel Faulkner primo die Septembris ult' pret' apud Heckington predictam canabam suam in communi paludine emersit (Anglice did water and sink) ad graue nocumentum ceterorum inhabitantium et catallorum suorum ac contra &c.
- 7 Willelmus Waring de Hough super montem pro negligendo warrantum a justiciariis &c.

Page 109.

- 8 Elizabetha Sandy de Skreckington widow 1s. 2*d.*, [et] 9. Willelmus Dry de eadem husbandman 3s. 8*d.*—quia die capcionis hujus inquisitionis apud Skeckington [*sic*] predictam assessmenta sua predicta super eos legitime assessata solvere neglexerunt contra &c.
- 10 Johannes Copley de Lessingham pro consimili 6s. 8*d.*
- 11 Johannes Richardson de Hough, 12. Johannes Pullen de eadem, 13. Johannes Petchill de Carlton Scroope, 14. Johannes Greene de Beckingham, 15. Ricardus Burditt de eadem, 16. Willelmus Burditt de eadem, 17. Elizabetha Pidd de eadem, 18. Johannes Whalley de Normanton, 19. Willelmus Whitby de Doddington, 20. Georgius Simpson de Hough super montem, 21. Juditha Simpson de eadem, 22. Margaretta Gibbons de eadem, [et] 23. Anna Browne de eadem spinster—pro non reparando

ad ecclesias parochiales per spacium trium dierum dominicorum [&c].

- 24 Anna Pridgeon de Wellingore, 25. Elizabetha Steele de eadem, [et] 26. Maria Gaskin de eadem—pro consimili &c.  
27 Willelmus Woods de Blanckney, [et] 28. Willelmus Carlton de eadem—pro consimili &c.

#### ARRAINMENTA.

Juditha Sympson alias Gibson nuper de Sleaford nova super arrainmentum suum placitavit non culpabilis et posuit se : Juratores dicunt quod non est culpabilis nec fugam fecit. Ideo &c. exonerata &c.

Page 110.

#### FINES.

De Roberto Greenough de Washingburgh sol' vic' iis. vid.

#### DEFAULTÆ RECOGNITIONES.

De Johanne Newcombe de Rowston pro defaulta xxli.

De Willelmo Savage de eadem pro consimili xxli.

De Jonathano Feildson de eadem pro consimili xxli.

#### EXITUS NULLI.

Page 111.

LINCOLNE  
KESTEVEN  
SLEAFORD  
CHRISTMAS  
1676

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 9 JANUARY 1677, BEFORE CHRIST-  
OPHER NEVILLE AND WILLIAM YORKE, KNIGHTS,  
AND LISTER TIGH, ESQUIRE.

#### PROCESSUS PACIS DOMINI REGIS.

#### VENIRE FACIAS 1676 MICHAELMAS.

- 1 \* Thomam Thornton de Billingay, 2. \* Eundem Thomam Thornton, 5. Ezekielem Faulkner de Heckington, 6. Eundem Ezekielem Faulkner, 7. \* Willelmum Waring de Hough super montem, 8. \* Elizabetham Sandy de Screckington, [et] 9. \* Willelmum Dry de eadem—assessmentum solutum, 10. \* Johannem Cropley de Leasingham, fine, 11. —Johannem Richardson de Hough super montem, 12. Johannem Pullen de eadem, 13. Johannem Petchell de Carlton Scroope, 14. Johannem Greene de Beckingham, 15. Ricardum Burditt de eadem, 16. Willelmum Burditt de eadem, 17. Elizabetham Pidd de eadem, 18. Johannem Whalley de Normanton, 19. Willelmum Whitby de Doddington, 20. Georgium Sympson de Hough super montem, 21. Juditham Sympson de eadem, 22. Margaretam Gibbons de eadem, 23. Annam Browne de eadem, 24. Annam Pridgeon de Wellingore, 25. Elizabetham Steele de eadem, 26. Mariam Gaskin de eadem, 27. Willelmum Woods de Blanckney, 28. Willelmum Carlton de eadem.

Page 112.

#### CAPIAS MIDSUMMER 1676.

- 2 Avery Morris de Hale parva, 10. Robertum Cocke de Kelby, 11. Johannem Cocke de eadem, 12. Henricum Hill de

eadem, 13. Willelmum Pickworth de Helpringham, 14. Johannem Walcott de eadem, 15. Robertum Skellitt de eadem, 16. Thomam Pryor de Hale Magna, 17. Margeream Carnell de eadem, 18. Thomam Hooton de Hale parva, 19. Jonam uxorem Willelmi Sysson de eadem, 20. Henricum Sherborne de Hale parva, South Kyme [*sic*], 21. — Johannem Petchill de Carlton Scroope, 22. Thomam Everitt de West Willowby, 23. Johannem Killingley de eadem, 24. Benjamin Roper de eadem, 25. Robertum Roper de eadem, 30. Johannem Richardson de Hough super montem, 31. Johannem Pullen de eadem, 33. (Willelmum Massey de Sutton in parochia Beckingham<sup>e</sup>), (mortuus<sup>m</sup>), 34. Randolphum Pattison de Beckingham, 35. Ricardum Burditt de eadem, 37. Annam Browne de Hough super montem, 38. Margaretam Gibbons de eadem, 40. Georgium Sympson de eadem miller, 41. Juditham Sympson de eadem, 44. Mariam Leake de Fenton widow, 45. — Widow Read de Hougham, 47. Ricardum Clarke de Nocton, 51. Willelmum Sutton de Walcott, 52. Ellenam uxorem eius.

Page 113.

54 Franciscam Howard de Donston widow, 56. Davidum Vaccatee de Scawpwicke generosum, 57. Willelmum Allen de eadem generosum, 58. Ricardum Jessopp de eadem Blanckney [*sic*], 61. Aliciam Bumby de Potter Hanworth widow, 62. Willelmum Bumby de eadem husbandman, 66. Johannem Dawbney de eadem, 67. Ricardum Cooke de Nocton, 68. Johannem Squire de Metheringham, 69. Edwardum Ulliott de eadem, 70. Thomam Hummerstone de eadem, 71. Matheum Archer de eadem, 73. Franciscum Palmer de eadem, 76. Franciscum Watson de Donston, 77. Estheram uxorem eius, 79. Edwardum Bumby de Potterhanworth, 81. Mariam uxor Willelmi Hutchinson de eadem.

ALIAS CAPIAS EASTER '76.

2 Thomam Duddike de Dogdike, 10. Eundem Thomam Duddike, 3. — Thomam Law de Wellingore, 11. \* Robertum Armstead de Blanckney, 12. \* Willelmum Ward de Sleaford nova, 13. ≡ Willelmum Allen juniorem de Hale parva, \* Robertum Carrington de Heckington Parkhouses pro vadiis Roberti Coe.

PLURIES CAPIAS CHRISTMAS '75.

8 \* Georgium Gaskin de Wellingore. Assessment paid to the Constable. (3s. 6d. in part<sup>me</sup>).

Page 114.

MICHAELMAS '75.

7 \* Willelmum Dickonson de Skellingthorpe 3s. 4d. sol' vic'.

8 \* Johannem Good de Harmston. (Gratis<sup>m</sup>).

9 \* Aliciam Cocke de Eagle. respituatam. debet (5s. 6d.<sup>c</sup>)\*.

## MIDSUMMER '75.

- 2 Joshuam Leake de South Kyme, 8. Petrum Waters de Heckington.

## EASTER '75.

- 13 Petrum Stoakes de Sleaford, 17. Thomam Ward de eadem, 19. x Susannam Bulley de Digby, 31. Henricum Hitchcocke de Ingoldsby, 32. Johannem Storey juniorem de eadem, 52. Margaretam Bennitt de Heckington, 53. Robertum Armstead de Blanckney, 54. Thomam Stennitt de Ewerby, 56. Willelmum Wiles juniorem de eadem, 65. Ricardum Burrell de Heighington.

## MICHAELMAS '74.

- 1 Ricardum Pridgeon de Wellingore, 3. Symon Dixon de Walcott, 4. Robertum Maure de eadem, 5. Georgium Saule de Ewerby rescous &c.

Page 115.

## RECOGNITIONES.

Sir Francis Fane.

- \* Johannes Allen de Scawpwick in *xxli.* pro bono gestu (sol<sup>m</sup>).

Sir William Yorke.

- \* Mathew Christopher de Heckington in *xxli.* pro bono gestu. (tenta de novo<sup>1</sup>).

- \* Joseph Cranwell de Howell in *xxli.* pro bono gestu.

- \* Johannes Bennitt de Heckington in *xxli.* pro pace.

- Robertus Brand de Helpringham in *xxli.* ad respondendum pro feloniam. (de feod<sup>m</sup>).

Thomas Cole Robert Wright ad prosequendum.

Sir Christopher Nevile.

- \* Johannes Ridatt de Metheringham in *xxli.* pro pace.

- \* Carolus Hatfeild de Scawpwicke in *xxli.* pro pace (sol<sup>m</sup>).

- \* Valentinus Mumby de Ballio Lincoln in *xxli.* pro bono gestu. (tenta de novo in *xlii.* ad comparendum ad proximas assisas &c.<sup>1</sup>)

Jan. 9<sup>o</sup> 1676.

Received then of Sir Christopher Nevill knt one of his Ma<sup>ties</sup> Justices of the Peace for the parts and county aforesaid the somme of three pounds and tenn shillings beinge the Kings third parte of monneys leavyed upon Roberte Smyth and others by vertue of a statute made ag<sup>t</sup> conventickles, I sey received *iiijli.* xs.

By me William Willerton

Undersheriffe.

Johannes Clarke de Wellingore for using 2 farmes contra statutum.

Idem Johannes pro obstructing the Kings high way &c. with rubbish &c.

Page 116.

(Ordered that the Constables of Sleaford shall convey all rogues and vagabonds and other wandringe persons that goe Northward<sup>e</sup>).

Ordered that all rogues vagabonds and other passenger whatsoever cominge from Heckington to Kirkbye Lathorpe shall be conveyed by the constables of Kirkbye Lathorpe to the towne of Evedon (whoe are to receiue them, & to convey them northward the next direct way to the towne of Ruskington & soe from thence directlye northward to the place were they are to goe<sup>e</sup>).

Ordered agane that the towne of Euedon shall convey them to Ruskinton from Kirkbye Lathorpe And that the towne of Ruskington shall receive all such passengers and convey them their way whither soever they are to goe.

Page 117 [blank].

Page 118.

LINCOLNE	GENERAL SESSION OF THE PEACE, HELD AT
KESTEVEN	FOLKINGHAM, 8 JANUARY 1676-7, BEFORE
FOLKINGHAM	WILLIAM YORKE, KNIGHT, FRANCIS WINGFEILD,
CHRISTMAS	WILLIAM HYDE, LISTER TIGH, RICHARD CUST,
1676	WILLIAM SAVILE AND THOMAS FARMER,
	ESQUIRES.

- 1 Johannes Clarke de Langtofte husbandman quia xx<sup>o</sup> die Aprilis ult' pret' apud Langtofte predictam quasdam sileres (Anglice the willowes) cujusdam Francisci Wilcox ad valenciam 3s. 4d. ad tunc et ibidem injuste et illicite succidit et asportavit et ad usum suum proprium convertit contra &c.
- 2 \* Joshua Heifeild de Osburnby & 3. \* Elizabetha Heifeild de eadem—quia xx<sup>o</sup> die Aprilis ult' pret' apud Skreckington predictam unum porculum (Anglice one pigge) de bonis & catallis cujusdam hominis ignoti injuste cepit et detinuit [*sic*] et ad usum proprium convertit [*sic*] ad graue dampnum &c. ac contra formam statuti &c.
- 4 \* Joshuah Heifeild de eadem et 5. \* Elizabetha Heifeild de eadem vidua—quia xi<sup>o</sup> die Novembris ult' pret' apud Osburnby predictam unam vitulam (Anglice one sucking sleeder calfe) ad valenciam vs. de bonis &c. Susanne Audley ad tunc et ibidem cepit [*sic*] et asportavit [*sic*] ad grave dampnum ipsius S : A : ac contra pacem &c.
- 6 \* Willelmus Spencer de Rippinghale pro insultu et affraia in & super quendam Johannem Gray contra pacem &c.

Page 119.

- 7 Thomas Newball de New Sleaford labourer, & 8. Johannes Wright de Pointon de eadem [*sic*] labourer—pro extorcione in arrestando et capiendo quendam Johannem Gray ad sectam cujusdam Petri Inckley 15. solidorum extorcion' &c. ut per indictamentum.

- 9 Franciscus Musson de Spittlegate victualler quia xx die Decembris ult' pret' et diversis aliis diebus et vicibus tam antea quam postea apud Spittlegate predictam quosdam personas in domo sua mancionale sedere permisit sedentes tipulantes et sese aliter male gerentes contra formam statuti &c. (mortuus<sup>m</sup>).
- 10 \* Samuel Tayler de Tallington weaver, [et] 11. Willelmus Watson de Baston husbandman—pro non veniendo ad ecclesias parochiales per tres dies dominicos ult' pret' contra formam statuti &c.
- 12 Elizabetha uxor Johannis Sheppard de North Witham, 13. Johannes Speet de Burton Coggles, 14. Maria Rimmington de Westby widow, [et] 15. Ellena Parkinson de eadem widow—pro consimili &c.
16. Magdalen Tacey de Irnham, 17. Johannes Crunckhorne de eadem, 18. Petrus Broughton de Hawthorpe, 19. Jacobus Walbancks de eadem, 20. Johannes Broxholme de eadem, 21. Johannes Owlett de Bulby et uxor, 22. Katherina Clarke de eadem widow, 23. Ricardus Brookes de Corby et Lucia uxor, [et] 24. Johannes Simpson de eadem et uxor—pro tribus mensibus recusantes &c. contra formam statuti.
- 25 Thomas Singletory de Weston pro assessmentto 3s. 4d. insoluto.
- EXITUS NULLI.

Page 120.

FINES PRO DOMINO REGE.

NULLI.

ORDERS.

Ordered that Mr Richard Quincey of Walcott a former pencioner of these parts and county shall haue for the future 4*li*. per annum out of these parts and county. (Debet pro ordine<sup>m</sup>).

Holland.

Thomas Bullard de Heckington 4s. 10d. Thomas Newton. Thomas Newton &c.

Johannes Singledary de Spalding, et Widow Singletory de eadem—3s. 4d.

Page 121.

LINCOLNE  
KESTEVEN  
SLEAFORD  
CHRISTMAS  
1676

GENERAL SESSION OF THE PEACE, HELD AT SLEAFORD, 9 JANUARY 1676-7, BEFORE CHRISTOPHER NEVILLE, AND WILLIAM YORKE, KNIGHTS, AND LISTER TIGH, ESQUIRE.

INDICTAMENTA &C.

- 1 \* Thomas Ridat de Long Ledenham victualler pro exonerando tormentum oneratum cum pulvere sulphureo et glandinibus plumbeis &c.
- 2 Johannes Allen de Scawpwicke & 3. Carolus Hatfeild de eadem—pro insultu & affraia in & super quendam Johannem Ridatt contra pacem domini Regis &c.

- 4 Willelmus Dickonson de Dirrington, [et] 5. Johannes Kempe de eadem—pro contemnendo ordinem quandam hujus curie ad procuracionem cujusdam Lott Tipler & Jane Blauncher &c. ad malum exemplum &c.
- 6 \* Ricardus Gilbert de Claypoole husbandman, 7. \* Johannes Storre de eadem dyer, 8. \* Thomas Abbott de eadem, [et] 9. \* Willelmus Newton de eadem—pro consimili offensa ut Thome Ridatt &c.
- 10 Thomas Bullard de Heckington pro assessmento 4s. 10d. Thome Newton de Weston &c.
- 11 \* Ricardus Spencer de Sleaford Nova pro insultu &c. super Johannem Hipwell &c. (received 4s. in part<sup>me</sup>).

EXITUS NULLI.

FINES SOLUTI VICECOMITI.

De Willelmo Dickonson de Skellingthorpe iiis. iiiid. sol' vic'.

MEMORANDUM SEPARATISTS.

Page 122.

BOURNE SESSION EASTER 1677 vicesimo tertio Aprilis.

RECOGNITIONES.

Mr Tigh.

- \* Franciscus Wier de Kirkby Underwood in xli. pro pace. (ten' de novo<sup>cl</sup>).
- \* Thomas Hubbard de Aslackby in xxli. pro bono gestu. (committed<sup>cl</sup>).
- \* Thomas Goodburne de Syston in [blank].

Sir William Yorke.

- \* Johannes Harvy de Sempringham in xxli. ad respondendum.
- ≡ Willelmus Barsby de Horblin in xli. pro bono gestu.

Sir Christopher Clapham.

- \* Henricus Cooper de Baston in xxli. pro bono gestu. Dorotheus [sic] Greene de Deeping in xx[li.] ad prosequendum. (prosequendum<sup>m</sup>).
- \* Willelmus Sneath de Deeping St Jacobi in xli. ad respondendum. (sol' cler<sup>m</sup>), (fin' xijd. sol' vic'<sup>l</sup>).
- \* Willelmus Saby de eadem in xxli. ad respondendum. Elizabetha Emmerson de eadem in xli. ad respondendum. (prosequendum<sup>m</sup>).
- \* Symon Allen de Uffington in xli. ad respondendum. Maria uxor Thome Wiley de eadem in [blank] ad respondendum. (prosequendum<sup>m</sup>).

Page 123.

Thursday com sennit at Corby the sitting.

Ordered that the Overseers of the poore of Dowsby shall allow 12d. a weeke and all arreares from 29th Sept. last to Mr Heyricke.

Johannes Swallow de Billingay 2 steers 6li. 5s. (apeece<sup>l</sup>) one blacke one red apud Sleaford markt bought & sold [the] same markt.

Benjamin Ely de Billingay pro consimili &c.

Page 124. SLEAFORD SESSIONS EASTER 1677.

Mr Savile.

- \* Antho. Tayler de South Rawsbey in *xxli.* ad respondendum pro agno: Johannes Watson ad prosequendum. (prosequendum<sup>m</sup>).

Sir Christopher Nevile.

Miles Farmery de Bassingham in *xxli.* ad respondendum. (debet 4s. 4d.<sup>m</sup>).

William Nixon de Heckington. (Proximas Assisas<sup>cm</sup>), (remitted<sup>l</sup>).

- × Ordered that Robert Warrinder de Ancaster refusing to pay 12d. Lettice Fitton a warrant of good behavior against him.

Sir Christopher Nevile treasurer for the Marshalsey, and Mr John Key of Ledenham trearers [*sic*] for the maymed soldiers.

Page 125.

Mathew Christopher, [et] James Saule, constables de Heckington.

Page 126.

M<sup>a</sup>—Robertus Beauer de Baston [et] Robertus Oldgate de eadem constabularii pro anno 1673. 2*li.* 6s. 2*d.* due to the towne they refuse to give the mony to the present officers &c.

LINCOLNE  
KESTEVEN  
BOURNE  
EASTER  
1677

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, 23 APRIL 1677, BEFORE CHRISTOPHER  
CLAPHAM AND EDWARD TURNER, KNIGHTS,  
FRANCIS WINGFEILD, WILLIAM HYDE, LISTER  
TIGH, RICHARD CUST, THOMAS HARRINGTON  
AND WILLIAM SAVILE, ESQUIRES.

VENIRE FACIAS.

- 1 \* Johannes Pell de Bourne yeoman pro non solvendo Assessmentum 2s. 4*d.* ut Guardianus pro terris cuiusdam Francisci Galloway in Cawthorpe. (referred to next session—to pay Rob. Smith for '75 [and] to pay Jo. Henscom for '76<sup>l</sup>).
- 2 \* Samuel Pickworth de Rippingale quia primo die Aprilis ult' pret' apud Rippingale predictam clausum cujusdam Laurencii Quincey generosi fregit & intravit & communem viam per clausum & terras ibidem iniuste & illicite fecit contra pacem &c.
- 3 Idem Samuel Pickworth quia eodem die & anno & diversis aliis diebus &c. apud Rippingale predictam sepes ipsius Laurencii Quincey ad valenciam 6s. 8*d.* evulsit et illicite conculcavit & spoliavit contra pacem &c.
- 4 \* Widow Lightfoot de Bourne for withhoulding and deteyning from Rachell Ingram & James Ingram the summe of 15s. wages &c.

- 5 \* Symon Tebb de Elstthrop for withholding and deteyning from Richard Butcher of Little Bytham the summe of 4s. 4*d.* wages for harvest worke.
- 6 Willelmus Bull de Bourne miller, 4s. 6*d.*, & 7. \* Daniel Booth de eadem fuller, 0s. 8*d.*—assessmentum cuidam Wm Clay.
- 8 \* Johannes Hartley de Rippingale fidler pro custodiendo communem tabernam cervisie sine licentia duorum justiciariorum pacis &c.

Page 127.

- 9 Johannes Crawfoot de Morton, & 10. Samuel Booth de eadem—quia 26<sup>o</sup> die Marcii ult' pret' apud Morton predictam ebrii fuerunt & diversis aliis diebus & vicibus &c. communes sunt computati (Anglice common drunkards) &c. contra formam &c.
- 11 Idem Johannes Crawfoot, [et] 12. Idem Samuel Booth—codem die & anno & aliis diebus &c. in & super separales dicti domini Regis subditos assaultum fecerunt et minati fuerunt & separaliter male gerebant contra pacem &c.
- 13 Ricardus Howitt de Corby, [et] 14. Johannes Preist de Bitchfeild—for withholding and deteyning from one John Underwell the summe of 1*li.* 2s. 6*d.* for keeping & looking to certeine swine at an bean and pea stacke &c.
- 15 \* Johannes Hubbert de Grayby for deteyning from Wm Johnson de Folkingham the summe of 3s. wages due in August 1675. (vadia soluta!).
- 16 Nathaniell Cole de Wigtofte for turning of Elizabeth Remmington his servant out of his house & service before the end of her terme without any reasonable cause showne.
- 17 Idem Nathaniel Cole for withholding and deteyning from the said Elizabeth Rimmington the summe of 2*li.* 1s. 10*d.* wages &c.
- 18 \* Robertus Beaver de Baston yeoman, & 19. \* Robertus Oldgate de eadem husbandman—quia existentes constabularii de Baston predicta pro anno 1673 et existentes super accomptos suos summam 2*li.* 6s. 2*d.* debita inhabitantibus eiusdem ville eosdem denarios in manibus suis injuste detinent et solvere recusant &c.
- 20 \* Jacobus Clarke de Morton labourer quia 1<sup>o</sup> Februarii apud Dunsby quosdam lepores et phasianos cum quodam tormento onerato &c. sagittavit et necuit contra formam &c.
- 21 \* Sylvester Harwood de Stenfeild pro consimili apud Dunsby predictam.
- 22 Ricardus Wilson de Aslackby quia die capcionis &c. apud Aslackby predictam existens ecclesie guardianus eiusdem ville et cum [*sic*] habuit et recepit de inhabitantibus eiusdem ville summam iis. pro capiendo et necando vulpinos duos in agris eiusdem ville, eosdem 2s. cuidam Roberto Beachamp solvere recusavit, sed fraudulenter in manibus suis detinet contra &c.

Page 128.

ORDERS.

Ordered that the summe of six poundes be forthwith paid to one Edward Archer gentleman by the overseers of the poore of Woolsthorpe by Beaver for his expences and satisfaction for cutting of the legge of one John Tayler a poore travellour and healing the same under paine of *xxli*.

EXITUS.

De Johanne Weathers de Tofte *xxs*.

FINES.

De Willelmo Sneath de Deeping St Jacobi *xii*d*. sol' vic'*.

De Elizabetha Heyfeild de Osburnby *sol' vic' xii*d**.

Ordered that Mr Robert Hayes shall of the Treasurer of the Marshalsey be paid forthwith the summe of 14*s*. for horse hire and other charges of horse hire for the rest of his assistants to Nottingham and other places for removing prisoners by habeas corpus &c.

William Barsby de Horblin junior & Wm Barsby senior in *xxli*. pro bastardia &c. (Defendentes pro feodo<sup>m</sup>).

Page 129.

SLEAFORD

GENERAL SESSION OF THE PEACE, HELD AT

EASTER

SLEAFORD, 24 APRIL, 1677, BEFORE CHRISTOPHER

1677

NEVILLE AND WILLIAM YORKE, KNIGHTS.

PRESENTAMENTA ET INFORMACIONES &c.

- 1 \* Willelmus Thacker de Dirrington pro ingrossando cererem et granum super terram crescentem &c. 12 acres omnium generum ea intencione &c. contra formam &c.
- 2 \* Idem Willelmus Thacker pro ingrossando catalla apud Lincoln et revendendo infra 5<sup>que</sup> septimanos apud Sleaford contra formam statuti &c.
- 3 \* Ricardus Clericoates de Digby carpenter pro consimili ut Thacker &c.
- 4 \* Willelmus Marshall de Bloxholme husbandman pro ingrossando catalla ut Thacker.
- 5 \* Jacobus Chevin de Boothby pro non solvendo assessmentum 2*li*. 2*s*. 2*d*. Georgio Stoncliffe.
- 6 Johannes Cooke de Sleaford nova pro non reparando (partem<sup>1</sup>) cujusdam vic' vocate Wood Lane in parochia de Anwick ad graue nocumentum ligeorum populorum dicti domini Regis &c.
- 7 \* Johannes Swallow de Billingay pro ingrossando catalla apud Sleaford et revendendo infra tempus apud Sleaford predictam eodem die contra formam &c.
- 8 \* Benjamin Ely de Billingay pro consimili &c.

ARRAINMENTA.

Willelmus Tayler de North Rawsby & Milo Farmery de Bassingham—super arrainmenta sua placitaverunt non [culpabiles] et posuerunt se: Juratores dicunt quod sunt culpabiles. Flagellantur apud Sleaford immediate &c.

- 9 Georgius Barton de Timberland<sup>1</sup> pro 1s. 4*d.* wages Willelmi Mowbray.  
 10 Johannes Blancher de eadem pro xs. wages predicti Willelmi Mowbray.

Page 130.

- 11 Johannes Clarke de Wellingore pro occupando 2 firmas &c.  
 12 Idem Johannes Clarke pro obstructando communem Regiam viam cum manuro et fimo ad graue nocumentum &c. ac contra formam &c.  
 13 Robertus Warriner de Ancaster pro recusando obedire justiciariorum ordinem pro bastardia Letitie Fitting &c.

EXITUS NULLI.

FINES NULLI.

RECOGNITIONES DEFAULTAE.

- \* Ricardus Spencer de New Sleaford butcher *xli.*  
 Thomas Matkin de eadem chandler *vli.* [et] Georgius Sharpe de eadem butcher *vli.*—manuaptores. Pro pace versus Johannem Hipwell &c.  
 Miles Farmery de Bassingham *xli.* [et] Vincent Russells & Robert Broadbury manuaptores *xli.* ad respondendum &c. (pro feodis<sup>m</sup>).

Page 131.

BOURNE. MIDSUMMER 1677.

PROCESSUS PACIS CAPIAS CHRISTMAS '76.

- 1 \* Johannem Clarke de Langtofte husbandman, agreed.  
 7 Thomam Newball de Sleaford labourer.  
 8 (Johannem Wright de Pointon labourer<sup>c</sup>).  
 11 Willelmum Watson de Baston husbandman.

RECOGNITIONES.

Robertus Barsby de Horbling in *xxli.* (d<sup>m</sup>) [et] Robertus Barsby de eadem junior in *xli.* manuaptor.

Recognisances of Mr Saviles.

- \* Johannes Heifeild de Osborneby pro pace versus Johannem Wilkinson. (iis. non sol'<sup>1</sup>).  
 \* Joshua Heifeild de Osborneby pro pace versus Johannem Wilkinson. (non sol' iis.<sup>m</sup>).  
 \* Johannes Wilkinson de Osbornebye pro pace versus Joshuam Heifeild. (non sol' iis.<sup>m</sup>).  
 John Wilkinson owes Mr Chapman Mr Saviles clerke 3s. 6*d.* more for warrants, soe hee must pay 9s. 6*d.* in all (d<sup>m</sup>).

RECOGNISANCES FILED ON SLEAFORD FILE.

Er[asmus] Deligne.

- \* Carolus Woollarton de Allington in *xxli.* pro pace. (Ordered his master pay the Constables charge or a warr<sup>t</sup> ag<sup>t</sup> him.<sup>1</sup>)  
 Sir W. Trollope.  
 \* Willelmus French de Markett deeping pro pace.  
 \* Alice Awlin de Deeping St James.

<sup>1</sup> Marton is written above Timberland.

Page 132.

× Ordered that Thomas Nale be sent to Cawthorpe from Milthorpe in Aslacby parish unless he give security to the towne within 10 dayes.

× Ordered that Originall Tebb of Grimsthorpe shall haue his pencion of 30s. per annum agmented to 3*li.* per annum &c.

MEMORANDUM.

- 1 Johannes Longfoot de Bourne [pro] recusando reddere accomptum inhabitantibus de Bourne ut constabularius pro 1674.
- 2 Johannes Oakley de Bourne pro consimili pro anno 1675.
- 8 Willelmus Bayley de North Kyme pro ingrossando cererem super terram crescentem &c.
- 9 — [blank] Thacker of Cranwell musition pro ludendo super diem dominicum &c.
- 10 Edwardus Harby de Dirrington pro illaqueando lepores contra formam statuti &c.

Page 133.

SLEAFORD MIDSUMMER '77.

PROCESSUS PACIS DOMINI REGIS.

CAPIAS. CHRISTMAS 1676.

Johannem Allen de Scawpwick. Carolum Hatfeild de eadem.  
 # Willelmum Dickonson de Dirrington. # Johannem  
 Kempe de eadem. Thomam Bullard de Heckington.

RECOGNITIONES.

- \* Willelmus Nixon de Heckington generosus in xx*li.* (Sent to Lincoln<sup>1</sup>) Willelmus Tayler junior de eadem in x*li.* [et] Robertus Bull de Heckington in x*li.*—manucriptores pro comparando [ad] proximam sessionem.

Sir Christopher Nevile.

- \* Ricardus Ward de Claypoole in xx*li.* pro pace versus Paylin.
- \* Josephus Hall de Clapoole in xx*li.* pro pace versus Paylin.
- \* Thomas Olive de eadem in xx*li.* pro pace versus Paylin.

Sir William Yorke.

- \* Mary uxor Willelmi Holderness ad respondendum.
- \* Elizabetha White de eadem ad respondendum.
- \* Dorothey Boole de Ewerby in [blank] ad respondendum.
- \* Johannes Bellamy ad prosequendum.

Page 134.

- \* Robertus Carre de Little Hale in x*li.* pro pace versus Makaryes.
- \* Elizabetha Allen de Little Hale in x*li.* pro pace.
- \* Henricus Law de Ewerby in x*li.* pro pace versus Stennitt.

Mr Savile.

- ≡ Miles Makerness of New Sleaford felmonger pro bono gestu &c.
- \* Willelmus Allen de Hale parva in xx*li.* pro pace.

AD ASSIAS.

- × — Georgius Allen de Hale magna in xx*li.* [et] Johannes Crow de Hale magna in xx*li.*—ad prosequendum et preferendum billum versus Willelmum Nixon &c.

Adiourned to Navenby to John Bells 14th of August next on Tuesday.

Session lost for want of Justices.

\* Joshua Heifeild de Osburnby.

\* Idem Joshua Heifeild pro aliis offensis &c.

\* Jonathan Heifeild pro feno al . . . dem hominis &c.

Page 135.

LINCOLN

KESTEVEN

BOURNE

MIDSUMMER

1677

GENERAL SESSION OF THE PEACE, HELD AT BOURNE, 11 JULY 1677, BEFORE HENRY HERON, KNIGHT OF THE BATH, WILLIAM YORKE, KNIGHT, THOMAS HARRINGTON, LISTER TIGH AND RICHARD CUST, ESQUIRES.

INDICTAMENTA &c.

- 1 William Bull of Bourne for withholding and deteyning from George Drew his late servant the summe of 31s. wages due at May Day last.
- 2 Jacobus Dally de Markett Deeping quia 27<sup>o</sup> Maii ult' pret' apud Markett Deeping predictam quasdam personas in domo sua mancionale sedere permisit bibentes et tipulantes et sese aliter male gerentes existente die dominico contra formam &c.
- 3 Daniel Milward de Markett Deeping predicta, 4. Johannes Inckley de eadem, [et] 5. Thomas Allam de eadem—pro sedentes et tipulantes ibidem &c.
- 6 \* Johannes Speet de Burton Coggles, 7. Elizabetha uxor Johannis Sheppard de eadem, 8. Ellena Parkinson de Westby widow, [et] 9. Maria Rimmington de eadem—pro non veniendo ad ecclesias suas parochiales per tres dies dominicos ult. pret. contra formam &c.
- 10 \* Elizabetha Heifeild de Osburnby pro hospitando vagrantes contra &c.
- 11 \* Eadem Elizabetha 2<sup>o</sup> die Julii &c. vigilias diurnas agere neglexit &c.
- 12 \* Milo Bell de Osburnby 1s. 5d. assessmentum constabulario soluere neglexit &c.
- 13 Jonathan Rudkin de Manthorpe quia 26<sup>o</sup> die Maii vi et armis apud Manthorpe predictam communem carcerem pecuarium fregit &c. et unam equam colore bay pretii 40s. legittime ibidem detentam pro dampno faciendo rescussit &c. contra pacem &c.

Page 136.

- 14 Willelmus Cursam de Deeping St Jacobi pro insultu et affraiam [sic] in et super Jacobum Harrington et pro iniuste imparcando et detinendo quatuor juvencos &c. contra pacem.

ARRAINMENTA NULLA.

EXITUS NULLI.

FINES.

De Willelmo Cursam de Deeping St Jacobi pro fine insoluto vs.

- 15 \* Johannes Longfoot de Bourne pro recusando reddere accomptum inhabitantibus ut constabularius pro anno 1674 (Memorandum<sup>m</sup>). (Ordered that a new levy be made and the present constables levy the sessment and all the arreares<sup>l</sup>).
- 16 Johannes Ooakley de eadem pro consimili pro anno 1675.  
SLEAFORD. 1677 MICHAELMAS.
- 1 Willelmus Waite de Walcott, [et] 2. Henricus Blacke de eadem—pro profanando diem dominicum in effugando cattalla to severall faires and marketts &c.
- 3 Matheus Wilson de Rowston fidler pro ludendo super diem Dominicum ad malum exemplum aliorum &c.
- 7 Georgius Chapman de Kyme Ferry pro ingrossando cererem super terram &c.
- 4 Jacobus Codling junior de Dirrington pro consimili &c.
- 5 Willelmus Short de Digby communem tabernam admissus custodire separales personas sedere super die Dominico permissit contra formam &c.
- 6 Willelmus Parker de Timberland pro ingrossando cererem super terram &c.

Page 137.

FOLKINGHAM. MICHAELMAS 1677.

CAPIAS MIDSUMMER '77.

- 1 — Johannem Pell de Bourne yeoman, 2. \* Samuelem Pickworth de Ripplingale, 3. \* Eundem Samuelem Pickworth, 6. Willelmum Bull de Bourne, 9. — Johannem Crawfoot de Morton, 10. Samuelem Booth de eadem, 12. Eundem Samuelem Booth, 13. Ricardum Howitt de Corby, 14. Johannem Preist de Bitchfeild, 16. Nathanielem Cole de Swayton, 17. Eundem Nathanielem Cole, 18. Robertum Beaver de Baston yeoman, 19. Robertum Oldgate de eadem husbandman, 22. \* Ricardum Wilson de Aslackby.

RECOGNITIONES.

Sir R[ichard] Cust bart.

\* Willelmus Hunt de Markett Deeping in *xxli.* pro bono gestu.

Captain Harington.

\* Robertus Alcocke de Spittlegate in *xxli.* pro bono gestu. (sol<sup>m</sup>).

L[ister] Tigh armiger.

\* Johannes Carrott de Folkingham in *xli.* pro pace versus Johannem Peake.

Page 138.

Sir Edmund Turner. Sir Richard Cust, bart. Thomas Harrington, esq. William Goodall, esq. Mr John Woodruffe.

RECOGNITIONES.

Mr Savile.

Thomas Topper de Dyke in parochia [de] Bourne in *xli.* ad respondendum pro feloniam.

Robertus Boyall et Willelmus Parman ad prosequendum eundem. (prosequendum<sup>m</sup>).

- 2 \* Bridgett Lockitt de Newton widow in *xli.* ad respondendum. prosequendum. Anne Battey, John Golding ad prosequendum eundem (tenta de novo<sup>l</sup>).

- 1 \* Maria Lockitt de Newton in *xxli.* ad respondendum, &c. (tenta de novo<sup>l</sup>).

(sol' clerico for all<sup>m</sup>).

Sir William Trollope bart.

- \* Thomas Webster de Gretford in *xxli.* pro pace versus Tooley. (stand upon recognisances till next Session<sup>l</sup>).

≡ Susanna uxor Sylvester Gervase de West Deeping ad respondendum. prosequendum. Mr Henry Law de West Deeping prosequendum, (debet 5s.<sup>cm</sup>).

Robert Boyall de Dyke in parochia de Bourne in *xli.* ad prosequendum. Topper next session. (de novo<sup>m</sup>).

Edward Howse constabularius de Baston. finis 2s. 6d. solutus vicecomiti.

Johannes Golding de Newton tenetur in *xli.* ad prosequendum Lockitt &c. (proxima Sessione<sup>m</sup>) (prosequendum<sup>m</sup>).

A passe for James Barratt and his wife and family to St Faiths neare Norwich in Norfolk.

*Page 139.*

LINCOLNE

KESTEVEN

SLEAFORD

MIDSUMMER

1677

GENERAL SESSION OF THE PEACE, HELD AT SLEAFORD, 10 JULY 1677, BEFORE THOMAS HUSSEY, BART, CHRISTOPHER NEVILE AND WILLIAM YORKE, KNIGHTS, AND WILLIAM SAVILE, ESQUIRE.

INDICTAMENTA &c.

- 1 \* Petrus Coy de Heckington quia primo die Julii ult' pret' apud Heckington predictam quandam antiquum aque cursum inter domum et terram Willelmi Tayler et ipsius Petri Coy injuste et illicite obstipavit et obstruxit contra &c. ad magnum nocumentum &c.

- 2 Johannes Thomas de North Rawsby miller quia die capcionis &c. apud North Rawsby quandam canem periculosum ad mordendum homines usitatum illicite et injuriose custodit ad graue dampnum &c. contra pacem. (Finis 5s. solutus vicecomiti<sup>l</sup>).

- 3 \* Willelmus Pridgeon de Carlton Moreland quia 20<sup>o</sup> die Junii ult' pret' apud Bassingham clausum et terram cujusdam Willelmi Smyth fregit et intravit et ripam suam cum quodam ligone succidit et prata et terras arabiles ipsius Willelmi per succidendam ripam predictam superfluit et submersit contra &c.

- 4 Thomas Booth de Billingay pro extorcione et falso imprisonmento cujusdam Michaelis Lambert contra pacem &c.

- 5 + Vincentius Frotheringham de Welbourne, 6. + Daniel Brittain de eadem, 7. \* Josephus Parkins de Bassingham, 8. + Anna Dawson de eadem, 9. Johannes Tayler de eadem, 10. Alicia Gunne de eadem, 11. Thomas Browne de eadem, 12. Johannes Ward de Carlton Morland, [et] 13. Maria Woods de eadem—pro 3 Sundayes &c.

Page 140.

- 14 Robertus How de Scawpwick, 15. Willelmus Woods de Blanckney, 16. Anna Nixon de eadem vidua, 17. Domina Widdrington de eadem, 18. Willelmus Allen de Scawpwick, 19. Davidus Voccaty de eadem, [et] 20. Johannes Codd de Billingham—pro tribus mensibus.
- 21 Samuel Hall de Brant Broughton, (mortuus<sup>m</sup>), 22. Johannes Darker de eadem, 23. Willelmus Booth de eadem, 24. Thomas Seckers de Hougham, 25. Edwardus Andrew de Hougham predicta, 26. Mrs Read de eadem, 27. Jana Read de eadem, 28. Arthur Langworth de Fulbeck, 29. + Willelmus Gunby de Ancaster, [et] 30. + Thomas Everitt de eadem—pro consimili &c.

#### ARRAINMENTA.

Dorothea Bull de Ewarby [et] Elizabetha White de eadem—super arrainmenta sua cognoverunt indictamentum et flagellantur.

#### EXITUS NULLI.

#### FINES NULLI.

De Johanne Cooke de Sleaford quia non comparuit ad respondendum &c. vis. viii<sup>d</sup>.

Page 141.

#### SLEAFORD. 1677 MICHAELMAS.

#### CAPIAS (MIDSUMMER<sup>e</sup>) (EASTER<sup>l</sup>) '77.

Johannem Cooke de Sleaford nova. Georgium Barton de Martin. Johannem Blancher de eadem. Johannem Clarke de Wellingore. Robertum Warriner de Ancaster.

#### ALIAS CAPIAS CHRISTMAS '76.

Johannem Allen de Scawpwick. Carolum Hatfeild de eadem. Thomam Bullard de Heckington.

#### RECOGNITIONES.

Mr Savile.

Stephanus Hunt de Rawsby xli. pro bono portu (bastardy). (Estreat<sup>m</sup>).

\* Josiah Moyers de Evedon xxli. pro pace versus Keniston.

Mr Tigh.

\* Thomas Pepper de Ingoldsby in xli. pro pace versus Johannem Patchett.

\* Thomas Edwards de Ingoldsby in xli. pro pace versus Patchett.

Sir F[rancis] Fane.

\* Johannes Jessop de Hough super montem in xli. pro pace versus Bartholomeum Ree.

Page 142.

Memorandum — 1. Johannes Ward de Claypoole,  
2. Richardus Ward de eadem, [et] 3. Anthonius Jackson  
de eadem—for pulling up a Goate called Wel Fen Goate  
whereby by the overflowing of the River severall mens  
grounds are surrounded.

Sir Christopher Nevile.

\* Willelmus Garnon de Brant Broughton pro bono gestu.

\* Idem Garnon de eadem pro pace.

\* Johannes Knifesmith de Swinthorpe pro pace.

Sir William Yorke.

Richardus Kirkby de Howell in *xli.* ad respondendum.  
Henricus Law et Richardus Bennitt ad prosequendum,  
(prosequendum<sup>m</sup>).

\* Richardus Rufford de Helpringham in *xli.* pro pace.

\* Francesca uxor R. Rufford in [*blank*] pro consimili. (debet 1s.<sup>m</sup>).

\* Willelmus Bassledine de Newarke in comitatu Nottingham pro  
bastardia (to pay 2s. a weeke and the charge gone and to  
give bond' &c<sup>l</sup>).

\* Susanna (uxor<sup>l</sup>) Battey de Helpringham in *xli.* pro pace.

Memorandum—Samuel Hopkinson de Billingham pro fensuras  
irreparatas versus communem agrum de Billingham &c.

Page 143.

\* Thomas Patman de Bennington.

\* Henricus Patman de eadem.

Thomas Patman & Henricus Patman *xli.* uterque. (com-  
mitted<sup>em</sup>).

Robertus Horner de eadem, *xli.* remitted. Pro consimili  
proxima sessione xs.

Ordered that Thomas Ridatt pay 1s. 6*d.* a weeke or that he  
take his sonne into his owne family and mayteyne him.

The Court adjourned to Grimsthorpe 8th instant and from  
thence to Sleaford 16th and from thence to Grinthorpe  
29th inst.

Page 144.

LINCOLNE

KESTEVEN

SLEAFORD

MICHAELMAS

1677

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 2 OCTOBER 1677, BEFORE THOMAS  
HUSSEY, BART., CHRISTOPHER NEVILE AND  
WILLIAM YORKE, KNIGHTS, THOMAS  
HARRINGTON AND LISTER TIGH, ESQUIRES.

INDICTAMENTA, &c.

- 1 \* Willelmus Waite de Walcott [et] 2. \* Henricus Blacke de  
eadem—pro profanando diem dominicum in effugando  
catalla ad nundinas et mercaturia contra formam statuti &c
- 3 \* Mattheus Wilson de Rowston, 4. \* Jacobus Codling junior  
de Dirrington [et] 5. [*blank*] Thacker de Cranwell—pro  
ludendo super instrumenta vocata violins or fiddles super  
die dominico ad magnam profanacionem eiusdem ac contra  
&c.

- 6 Willelmus Short de Digby quia ipse communem tabernam admissus custodire separales personas in domo sua super die dominico sedere permisit bibentes et tipulantes et sese aliter male gerentes contra formam &c.
- 7 \* Edwardus Harby de Dirrington quia vicesimo die Septembris et separalibus diebus &c. quosdam lepores cum quibusdam enginis vocatis laqueis (Anglice snares) illicite captavit et necuit contra &c.
- 8 \* Willelmus Bayley de North Kyme, 9. \* Georgius Chapman de Kyme Ferry, [et] 10. \* Willelmus Parker de Timberland—pro ingrossando cererem super terram crescentem contra formam statuti &c.
- 11 Samuel Hopkinson de Billingay quia non reparavit fensuram suam versus communem agrum de Billingay ad magnum nocumentum &c.

Page 145.

- 12 Johannes Ward de Clapoole, 13. Ricardus Ward de eadem, [et] 14. Anthonius Jackson de eadem—quia ipsi decimo octavo die Septembris proximo futur' [sic] quoddam instrumentum pro communi usu inhabitantium de Clapoole predicta vocatum (the Well fenne Goate) iniuste et illicite evulserunt et per istud factum terras separalium hominum de Clapoole emeruerunt et spoliaverunt contra pacem.
- 15 Hugo Thompson de South Kyme, [et] 16. Antho. Hare de eadem—pro negligendo vigilias nocturnas contra formam &c.
- 17 Willelmus Dixon de Wellingore, [et] 18. Thomas Hoyes de eadem—pro non reparando fensuras suas inter Skinnand et Wellingore pasturas ad graue nocumentum &c.
- 19 Thomas Marcall de Carlton Moreland, (mortuus<sup>m</sup>), [et] 20. \* Willelmus Langworth de Brant Broughton—pro discedendo a sociis suis tempore veredicti perficiendi ad graue dampnum &c.

#### ARRAINMENTA.

Ricardus Kirkby de Howell super arrainmentum placitavit non culpabilis. Juratores dicunt quod non culpabilis nec fugit &c.

#### EXITUS NULLI.

#### FINES.

De Johanne Walker de Evedon pro fine soluto vicecomiti iiis.

Page 146.

#### ORDERS.

Itt was ordered by the court that the overseeres of the poore of South Rawsby shall allow & pay unto Mary Pridgeon of South Rawsby aforesaid the summe of one shilling six pence a weeke collection towards her and her childrens better mayntenance and releife.

Ordered that the officers and inhabitants of Long Bennington shall goe before Sir Francis Fane and that he determine all differences amongst them.

SESSIO : PER ADIURNAMENTUM APUD SLEAFORD 16<sup>o</sup> DIE OCTOBRIS 1677.

Ordered that the rates for the pencioners and maymed soldiers shall be increased to 6*d*. a weeke and that the cheife constables of the seuerall wapentakes in Kesteven shall proporcion the same accordingly.

Page 147. SLEAFORD. CHRISTMAS 1677.

CAPIAS. MIDSUMMER '77.

2 ≡ Johannem Thoms de North Rawsby miller. (d<sup>m</sup>).

4 \* Thomam Booth de Billingay.

ALIAS CAPIAS. EASTER '77.

6 \* Johannem Cooke de Sleaford nova. time till next Session. (d<sup>m</sup>).

9 Georgium Barton de Martin, [et] 10. Johannem Blancher de eadem—warrant against both to appear.

11 12. Johannem Clarke de Wellingore. 2

13 Robertum Warriner de Ancaster.

PLURIES CAPIAS.

Memorandum—1. Johannem Allen de Scawpwicke, (d<sup>m</sup>), [et] 2. Carolum Hatfeild de eadem—war<sup>t</sup> exig' 3. ≡ Thomam Bullard de Heckington.

RECOGNITIONES.

≡ Stephanus Hunt de Rawsby in *xli*. ad respondendum.

Sir William Yorke.

Uxor Johannis Parker de Ewerby in *xli*. ad respondendum (d<sup>m</sup>).

\* William Franckland de Walcott in *xli*. ad respondendum. (debet 1*s*.<sup>m</sup>).

Page 148.

Sir William Yorke.

Nicholas Smith esq.

Miles Long gent.

\* Robert Carrington de Hale magna pro bastardia. (Ordered to pay 1*s*. 6*d*. per weeke and the woman to bring it up and he to pay all charges and giue security &c.<sup>1</sup>).

Eden Owndes alias Redshaw de Helpringam ad respondendum.

\* Thomas Barnes de New Sleaford in *xxli*. ad respondendum.

\* Symon Bancks de Walcott in *xli*. ad respondendum. (continued till next session<sup>c</sup>).

\* Robertus Fountance de Branswell ad respondendum.

Thomas Page de Helpringham ad prosequendum Eden Oundes. (Exoneratus<sup>1</sup>).

William Dickonson de Billingay ad prosequendum Thornton. (prosequendum<sup>m</sup>).

\* Johannes Petchell de Billingay in *xxli*. ad respondendum.

Sir Francis Fane.

\* Richard Gilbert de Claypoole in *xli*. pro bono gestu. (tenta de novo per Carolum Brandon et Willelmum Hill de Claypoole *xxli*. pro pace.<sup>1</sup>)

Sir Christopher Nevile.

- \* Edwardus Johnson de Metheringham in *xxli.* pro bastardia.  
(tenta de novo per Georgium Gentle et Mr Edward Shore<sup>1</sup>).
- \* Anna Hammonde de Harmston pro pace.
- \* Mary Hammond de eadem pro pace versus Frodghill.

Page 149 [blank].

Page 150.

LINCOLNE  
KESTEVEN  
FOLKINGHAM  
MICHAELMAS  
1677

GENERAL SESSION OF THE PEACE, HELD AT  
FOLKINGHAM, 1 OCTOBER 1677, BEFORE  
RICHARD CUST, BART., EDWARD TURNER AND  
CHRISTOPHER NEVILE, KNIGHTS, THOMAS  
HARRINGTON, WILLIAM HYDE, LISTER TIGH  
AND WILLIAM SAVILE, ESQUIRES.

#### INDICTAMENTA &c.

- 1 Thomas Noble de Langtofte pro injuste imparcando unum iuvencom de bonis Henrici Wells in communi parco ex communi palude eiusdem ville contra pacem &c. et capiendo 3s. 4d. pro eodem.
- 2 \* Thomas Goodburne de Syston tayler pro sagittando et necando quasdam columbas &c.
- 3 \* Idem Thomas Goodborne pro exonerando tormentum oneratum pulvere sulphureo et glandinibus plumbeis contra formam &c.
- 4 \* Georgius Catlin de Syston tayler pro sagittando et necando columbas &c.
- 5 \* Idem Georgius pro exonerando tormentum oneratum pulvere sulphureo et glandinibus plumbeis contra formam statuti &c.
- 6 \* Robertus Beaucham de Swayfeild butcher pro assessmentto 4d. constabularii.
- 7 \* Edwardus Richardson de Newton labourer pro exercendo artem lignarii. A carpenter, contra &c. exoneratus.
- 8 \* Thomas Pell de eadem pro consimili &c. exoneratus.
- 9 Thomas Topper de Dike pro feloniam—1 bottell of beanes &c.
- 10 Maria Lockitt de Newton [et] 11. Bridgetta Lockitt de eadem —pro mugendo [*sic*] vaccas cujusdam Johannis Goolding contra pacem. [There is a cross in the margin against the last three entries].

Page 151.

- 12 \* Susanna uxor Sylvani Jervase de West Deeping pro injuste et illicite capiendo separales fasciculos ligni et quasdam parcellas porci carnis (Anglice bacon) contra pacem &c.
- 13 \* Johannes Pagitt de Bitchfeild apud Ingoldsby clausum cujusdam Thome Chapman fregit &c. (submitted<sup>1</sup>).

#### ARRAINMENTA NULLA.

#### ORDERS.

Itt was ordered this day that Thomas Browne of Allington shall haue 40 shillings from the treasurer of the Marshalsey

for his paines in apprehending one John Blacketter a highway robber.

Ordered that Mr John Harrington the reputed father of a bastard child begotten upon the body of Katherine Lindsey of Boothby shall pay towards the mayntenance thereof the summe of 18*l.* a weeke or that his brother Thomas Harrington esquire shall deduct and pay the same out of his annuity &c.

Ordered a warrant of the good behaviour against William Bull of Bourne for to answer sundry misdemeanours &c.

Ordered that Sir Robert Markham Sir Edmund Turner and Lister Tigh esquire doe meet at Grantham and there finally settle and determine the business betweene Henry Clarke and the constable of Barrowby.

Page 152.

#### RECOGNITIONES.

Thomas Topper de Dyke in *xxli.* ad respondendum proxima sessione. Robert Boyall and William Parnham ad prosequendum.

\* Bridgetta Lockitt de Newton widow, [et] \* Maria Lockitt de eadem spinster—ad respondendum. Johannes Golding and Anne Battey ad prosequendum.

\* Thomas Webster de Gretford in *xxli.* pro pace.

#### EXITUS.

\* De Thoma Lawrence de Dunsby quia non comparuit &c. *xs.*  
De Johanne Wright de Pickworth pro consimili *vs.*

#### FINES.

De Susanna Gervase de West Deeping pro quodam fine *vs.*  
De Edwardo Howse de Baston pro consimili *iis. vd.*

Page 153.

#### FOLKINGHAM. CHRISTMAS 1677.

##### CAPIAS MICHAELMAS '77.

- 1 Willelmum Bull de Bourne, 2. \* Jacobum Dally de Markett Deeping, 3. Daniel Milward de eadem, 4. Johannem Inckley de eadem, 5. Thomam Allam de eadem, 6. Johannem Speet de Burton Coggles, 7. Elizabetham uxorem Johannis Sheppard de eadem, 8. Ellenam Parkinson de Westby widow, 9. Mariam Rimmington de eadem widow, 13. \* Jonathanum Rudkin de Manthorpe. Fine remitted, 14. Willelmum Cursam de Deeping St Jacobi.

##### ALIAS CAPIAS MIDSUMMER '77.

- 1 \* Johannem Pell de Bourne yeoman, 3. Willelmum Bull de eadem miller, 6. \* Johannem Crawford de Morton, 9. Samuelem Booth de eadem, 10. Eundem Samuelem Booth, 12. Ricardum Howitt de Corby, 13. Johannem Preist de Bitchfeild, 14. \* Robertum Beaver de Baston yeoman, 16. \* Robertum Oldgate de eadem husbandman.

##### PLURIES CAPIAS.

- 11 Willelmus Watson de Baston husbandman.

Page 154. RECOGNITIONES AD HANC SESSIONEM.

(Wm Hyde<sup>e</sup>) armiger. Mr Cust.

Thomas Orson de Hackonby labourer ad respondendum pro suspicione felonie, 2 pecks of wheat de bonis Christoferi Cleypole de eadem. (insol' 2s. de warranto de novo<sup>m</sup>).

\* Robertus Newcomin de Hackonby labourer pro consimili. (sol' clerico<sup>m</sup>).

\* Katherina Newcomin uxor predicti Roberti Newcomin pro consimili. (sol' clerico<sup>m</sup>).

— Christopherus Cleypole de Hackonby husbandman in 20*li*. ad preferendum billum indictamenti et prosequendum versus prefatos Thomam Orson Robertum Newcomin et Katherinam uxorem eius pro feloniam predicta. (ad prosequendum com<sup>m</sup>).

≡ Willelmus Bull de Bourne miller ad respondendum pro detinendo vadia 31s. a quodam Georgio Drew serviente eius et pro bono gestu. (insoluti iis.<sup>m</sup>).

≡ Georgius Drew de Hackonby miller ad respondendum pro suspicione felonie, 7 fulmer skins de bonis Willelmi Bull de Bourne. (insol' iis.<sup>m</sup>).

— Willelmus Bull de Bourne miller in 20*li*. to preferr a bill and prosecute against George Drew pro causa predicta, (ad prosequendum com<sup>m</sup>). (A warrant de novo<sup>l</sup>).

\* Victoria Tebb de Morton spinster ad respondendum pro feloniam of corne of Christopher Cleypole. (in sol' iis.<sup>m</sup>).

Page 155.

Mary Steele de North Witham in x*li*. ad prosequendum Rudkin, (prosequendum, d<sup>m</sup>).

\* John Rudkin de Steanby in xx*li*. pro pace.

Mr Savile.

Isabell Brummitt de Milthorpe pro bono gestu. (poor<sup>m</sup>).

Gilbert Greene de Aslackby in xx*li*. pro bono gestu &c. (poore<sup>m</sup>).

× Ordered that Edward Wright of Baston pay the townes charges being 19s. upon the prosecucion of a hue & cry falsly raised.

× Ordered that George Fish be settled at Donnington in Holland.

Page 156.

LINCOLNE

KESTEVEN

FOLKINGHAM

CHRISTMAS

GENERAL SESSION OF THE PEACE, HELD AT  
FOLKINGHAM, 14 JANUARY 1677-8, BEFORE

WILLIAM HYDE, LISTER TIGH, WILLIAM SAVILE  
AND WILLIAM GOODHALL, ESQUIRES.

1677

INDICTAMENTA &C.

1 ≡ Thomas Colby de Pointon et 2. Willelmus Parnham de eadem—pro effugiendo quosdam equulos et equulas ex terris et pasturis cuiusdam Ricardi Caswell et totaliter excludendo eos ex pasturis predictis contra pacem &c. (debet<sup>m</sup>).

- 3 \* Robertus Bullimer de Humby Parva pro negligendo officium suum ut constabularius in conservando pacem domini Regis &c. ad malum exemplum aliorum &c. (submitted fine 5s.1)
- 4 \* Elizabetha Bell de Osburnby widow, [et] 5. \* Jonathan Heifeild de eadem labourer—quia ipsi 21<sup>o</sup> die Augusti apud Osburnby predictam vigiliis suas nocturnas agere neglexerunt contra &c.
- 6 \* Eadem Elizabetha Heifeild [*sic*] quia die capcionis &c. apud Osburnby predictam porcos suos inanulatos [*unringed*] custodiit ad graue nocumentum &c. ac contra &c.
- 7 \* Eadem Elizabetha Heifeild pro capiendo et iniuste et illicite detinendo quendam instrumentum (Anglice vocatum an hogs trough) de bonis et catallis cujusdam Francisci Bell contra pacem &c.
- 8 Christopherus Wright de Morton pro capiendo et injuste asportando quosdam anseres e communi paludine de Morton de bonis cujusdam hominis ignoti &c.

Page 157.

- 9 Daniel Newton de Hauthorpe pro harborando quosdam vagrantes et personas inquietas ad graue nocumentum &c. ac contra &c. (mortuus<sup>1</sup>).
- 10 \* Willelmus Clay junior de Hackonby, et 11. \* Maria uxor eius—pro insultu et affraia in et super quendam Michaellem Wyles et chasiando et malectracting catalla ipsius Michaelis contra pacem &c.
- 12 Ricardus Sycklin de Greatford, [et] 13. \* Johannes Hutton de eadem—pro exonerando bombardum et occidendo columbas contra pacem &c.
- 14 \* Milo Bell de Osburnby labourer pro negligendo vigiliis nocturnas &c.

#### ARRAINMENTA

Georgius Andrews de Baston labourer super arrainmentum suum placitavit non culpabilis et posuit se: Juratores dicunt quod non culpabilis nec fugit &c.

Phillippus Edmunds de Baston super arrainmentum suum placitavit non culpabilis et posuit se: Juratores dicunt quod culpabilis et nulla &c. flagellatur &c.

#### EXITUS NULLI.

#### FINES.

De Maria Lockitt de Newton pro fine iis. soluto vicecomiti.  
De Johanne Harwood pro consimili soluto vicecomiti iis.

Page 158.

#### ORDERS.

Ordered a warrant de novo against William Bull of Bourne to appeare next session because he ran away out of the court before he was discharged.

Ordered that Isabell Howard be sent to the place from whence shee came in Leicestershire in regard there appeares noe lawfull order for her settlement at Strawson.

Ordered a warrant de novo against Thomas Orson of Hackonby to bring him to answer against next session for felony.

Stephanus Wright de Morton pro insultu et affraia in et super quendam Samuelem Buckminster 25th Feb. ult' pret' &c.

Mr Edward Browne gentleman.

Thomas Morton, [et] Peter Clarke, clerici.

*Page 159.*

BOURNE 1677. MEMORANDUM RECOGNITIONES. EASTER '77.

Ultima Curia.

Thomas Orson de Hackonby in *xxli.* ad respondendum.

Willelmus Bull de Bourne miller in *xxli.* ad respondendum.

Sir Richard Cust.

\* Johannes Keach de Deeping St Jacobi yeoman in *xxli.* ad respondendum.

Mr Savile.

\* Richard Morton de Dunsby in *xli.* pro pace.

\* Maria Sharpe de Dunsby in *xxli.* ad respondendum. (sol' clerico<sup>m</sup>).

*Page 160 [blank].*

*Page 161.*

LINCOLNE  
KESTEVEN  
SLEAFORD  
CHRISTMAS  
1677

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 15 JANUARY 1677-8, BEFORE  
FRANCIS FANE, KNIGHT OF THE BATH,  
CHRISTOPHER NEVILLE AND WILLIAM YORKE,  
KNIGHTS.

INDICTAMENTA &c.

- 1 \* Katharina Parke de Colverthorpe widow pro non solvendo assessmentum suum constabulario de Wilsford videlicet summam iis. Tho. Hayther constabularius. (Assessment paid<sup>1</sup>.)
- 2 \* Ricardus Squire de Washingbrough pro recusando executere quoddam warrantum directum a Willelmo Yorke milite pro capiando quendam Johannem Vere in magno contemptu &c.
- 3 \* Johannes Roberts senior de Bennington Longa et  
4. \* Elizabetha Richardson de eadem—pro manuforti detencione medietatem messuagii cujusdam Roberti Horner contra formam &c. (cert' allocat<sup>1</sup>).
- 5 \* Thomas Boothe de Billingay pro falso arrestando et imprisonando quendam Michaellem Lambert pro feloniam et extorsive capiando de eo xs. pro compositione ad graue dampnum &c. ac contra pacem domini Regis &c.
- 6 Thomas Robinson de Brant Broughton yeoman pro disturbando quendam Johannem Chappell (clericum<sup>1</sup>) in exercendo

- divinum servitium contra formam statuti &c. (exoneratus<sup>l</sup>) (com<sup>m</sup>).
- 7 Willelmus Flower de Carlton scroope victualler pro permittendo quasdam personas sedere in domo sua bibentes et tipulantes super die dominico in tempore divini servitii contra formam &c.
  - 8 Henricus Parkins de Ancaster, [et] 9. Willelmus Launders de eadem—pro sedendo et tipulando in domo predicta contra formam &c. (d<sup>m</sup>e.)
  - 10 \* Johannes Creacy de Helpringham, 12s. assessmentum, [et] 11. \* Willelmus Robinson de eadem, 6s. assessmentum—constabulario de Helpringham.
  - 12 Thomas Olive de Claypoole pro 1s. ix*d*. vadibus Johannis Olive.
  - 13 Mathias Christopher de Heckington pro 30s. vadibus cujusdam Willelmi Harrifeild &c.

Page 162.

#### ARRAINMENTA.

Eden Oundes de Helpringham, Thomas Forman de Swinderby, [et] Sara uxor eiusdem Thomae—super arrainmenta sua placitaverunt non culpabiles et posuerunt se. Juratores dicunt quod non sunt culpabiles neque fugerunt. Ideo exonerati.

#### FINES.

De Richardo Squire de Washingborough pro quodam fine insoluto *vli*. pro quodam contemptu per ipsum perpetrato &c.

#### EXITUS NULLI.

Page 163.

#### SLEAFORD. EASTER '78.

#### RECOGNITIONES IN CURIA.

Richardus Gilbert de Claypoole generosus in *xxli*. ad respondendum. (Estreat<sup>m</sup>).

- \* Edwardus Johnson de Metherringham in *xxli*. pro bastardia. (A warrant. William Walgrave de South Rawsby who gott the child<sup>l</sup>).

Sir William Yorke.

- Johannes Gudd de Hale ad comparendum et respondendum pro feloniam (pauper 2s. in part<sup>l</sup>).
- Thomas Covill de Great Hale in *xli*. ad prosequendum et dandum evidenciam &c. (ad prosequendum. iis. Estreat<sup>m</sup>).
- ≡ Robertus Bell de Rawsby ad respondendum et pro bona gestur', (tenta de novo per Christopherum Page de eadem in *xli*. et Richardum Edward de eadem<sup>l</sup>). (iis. debiti<sup>m</sup>).
- \* The wife of Joseph Cranwell of Howell ad comparendum et respondendum, & to bee of good behaviour & keepe the peace. (iis.<sup>m</sup>).

≡ Stephen Bell de Rawsbye, ad respondendum, et pro bona gestura et pace, (tenta de novo per eosdem manucaptores in *xli.*<sup>1</sup>). (ijs. debiti<sup>m</sup>).

Diana uxor Georgii Blackwell de Ewarbye ad comparendum et respondendum. (iis.<sup>m</sup>) (pauper<sup>1</sup>).

- \* The wife of Richard Kerbye de Howell ad comparendum et respondendum et pro bona gestura et pace. (iis.<sup>m</sup>).  
(The Sherrieff fined *5li.*<sup>c</sup>). Remitted.

Sir Christopher Nevile.

- \* William Johnson de Clapoole pro pace in *xxli.*  
Richard Gilbert de Clapoole in *xxli.* pro pace. (Solutum Clerico. Estreat<sup>m</sup>). (debet clerico iis. against next session<sup>1</sup>).
- \* Brian Berisford de eadem in *xxli.* pro pace.
- \* Thomas Abbot de eadem in *xxli.* pro pace.

Page 164.

Michael Lambert de North Kyme in *xli.*, [et] William Lambert *xli.*—ad respondendum.

William Lambert de eadem *xli.*, [et] Michael Lambert *xli.*—ad respondendum.

Nathaniell Smyth de Boston in *xli.*, Anthonius Stennitt de Grantham gent. *vli.*, [et] Patr. Shore de Metheringham gent. *vli.*—pro pace et pro comparendo ad proximam sessionem versus Georgium Newcomb.

Page 165.

LINCOLNE  
KESTEVEN  
BOURNE  
EASTER  
1678.

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, 8 APRIL, 1678, BEFORE CHRISTOPHER  
CLAPHAM, KNIGHT, WILLIAM HYDE, LISTER  
TIGH, WILLIAM SAVILE AND WILLIAM GOODHALL,  
ESQUIRES.

#### INDICTAMENTA &c.

- 1 Johannes Turrington de Horblin *1s.*, 2. Petrus Andrew de eadem *vid.*, 3. Franciscus Exton de Bourne *vid.*, [et] 4. Jacobus Stephens de Morton *xd.*—qui separales summas predictas super eos legitime assessatas constabulariis villarum predictarum solvere recusaverunt contra formam &c.
- 5 Johannes Oakely de Morton, [et] 6. Johannes Longfoot de Bourne baker—quia ipsi existentes constabularii de Morton pro annis 1675 et 1674 ult' pret' inhabitantibus eiusdem ville accomptum de expensis et receptis suis reddere recusaverunt contra &c.
- 7 Anthonius Watson de Corby pro consimili ut Turrington *5s. 2d.*
- 8 Willelmus Pell de Lound pro vadiis Johannis Day *4s.*
- 9 Stephanus Wright de Morton pro insultu et affraia super quendam Samuellem Buckminster &c. contra pacem &c.

## ORDERS.

Ordered that Mr Claydon Jolly of West Deeping shall execute the office of Treasurer of the maymed soldiers for the following yeare.

Lister Tigh esquire for the Marshalsey.

*Page 166.*

Ordered that William Nicholls of Threckingham labourer shall from henceforth have a pencion of 40s. per annum.

Itt is alsoe ordered that Robert Gourden of Syston shall likewise have a pencion of 40s. per annum.

## FINES.

De Roberto Bullimore de Humby Parva vs. solutus vicecomiti.

EXITUS NULLI.

*Page 167.*

LINCOLNE	GENERAL SESSION OF THE PEACE, HELD AT
KESTEVEN	BOURNE, BY ADJOURNMENT, 29 JULY 1678,
BOURNE	BEFORE RICHARD CUST, BART, CHRISTOPHER
MIDSUMMER	CLAPHAM, KNIGHT, WILLIAM HYDE.
1678	

PROCESSUS PACIS DOMINI REGIS.

VENIRE FACIAS EASTER '78.

- 1 \* Johannem Turrington de Horblin.
- 2 \* Petrum Andrew de eadem.
- 3 Franciscum Exton de Bourne.
- 4 \* Jacobum Stephens de Morton. Fined *xii*d. sol' vic'.
- 5 \* Johannem Oakley de eadem.
- 6 \* Johannem Longfoot de Bourne. Fined 2s. 6d. sol' vic'.
- 7 \* Anthonium Watson de Corby. Assessment paid.
- 8 \* Willelmum Pell de Lound. vadia.
- 9 Stephanum Wright de Morton.
- \* Michaellem Groves de Baston. Fined 2s. 6d. sol' vic'. Submitt' protest.

CAPIAS. CHRISTMAS '77.

- 1 \* Thomam Colby de Pointon, 2. Willelmum Parnham de eadem,
8. \* Christopherum Wright de Morton. Fine 6d. sol'.
12. Ricardum Sycklin de Greatford.

ALIAS CAPIAS. (MICHAELMAS<sup>e</sup>) (MIDSUMMER<sup>l</sup>) '77.

- 1 — Willelmum Bull de Bourne miller, a warrant to the Constable. (warr<sup>m</sup>).
- 3 Danielelem Milward de Markett Deeping.
- 4 Johannem Inckley de eadem.
- 5 Thomam Allam de eadem.

*Page 168.*

- 6 Johannem Speet de Burton Coggles, 7. Elizabetham Shepheard de eadem, 8. Ellenam Parkinson de Westby widow, 9. Mariam Rimmington de eadem widow,
14. Willelmum Cursam de Deeping St Jacobi.

PLURIES CAPIAS. (Midsommer<sup>e</sup>). (Easter<sup>l</sup>) '77.

- 3 Willelmum Bull de Bourne miller, 9. Samuelem Booth de Morton, 12. Ricardum Howitt de Corby, 13. Johannem Preist de Bitchfeild.

— Willelmus Watson de Baston husbandman, (mortuus<sup>m</sup>).

RECOGNITIONES.

Savile armiger.

\* Edwardus Wykes de Newton in *xxli.* pro bono gestu.

\* Johannes Robinson de Osburnby in *xli.* pro pace.

Sir W. Yorke.

\* Samuel Barden de eadem in *xli.* pro pace.

Cap. Hyde.

\* Johannes Powers de Markett Deeping generosum pro pace,

\* Jona Hunt uxor Willelmi Hunt de eadem pro consimili,

\* Elizabetha Ireland de eadem spinster pro consimili,

\* Willelmus Ferby de eadem pro consimili, [et] \* Tabitha

Greene de eadem in *xli.* pro consimili—pro pace versus

Wildbore.

Page 169.

Sir R[ichard] Cust bart.

\* Thomas Dale de Hanthorpe in *xxli.* pro bono gestu, bastard'.  
(solutum<sup>m</sup>) (tenta de novo per eosdem manucaptos<sup>l</sup>).

\* Robertus Kelham de Cawthorpe weaver in *xxli.* pro bono gestu.

\* Johannes Smith de Swinestead yeoman in *xli.* ad respondendum

\* Michaelis Wyles de Hackonby miller in *xxli.* pro pace versus uxorem.

\* Willelmus Hunt de Markett Deeping in *xli.* pro pace versus [*sic*].

\* Jona Hunt uxor eius pro consimili.

Jacobus Hardwick de Bourne butcher in *xli.* pro pace.

(Estreat. d<sup>m</sup>). (Fine xxs. pro contemptu beside<sup>l</sup>).

≡ Willelmus Ramm de Morton generosus in *xli.* pro bono gestu, (debet<sup>m</sup>)

Sir Christopher Clapman [*sic*].

\* Johannes Johnson de Uffington in *xli.* ad respondendum.

Ellen Faulkner de eadem in *xli.* ad respondendum.

Anna Hudson de eadem in *xli.* respondendum.

Mr Barnes & Mr Tayler of Greatford of [*sic*] Mr Tayler of

Folkingham fined 40s. apiece for suffring the prisoners to

gett away.

Page 170 [*blank*].

Page 171.

LINCOLNE

KESTEVEN

SLEAFORD

EASTER

1678

GENERAL SESSION OF THE PEACE, HELD AT

SLEAFORD, 9 APRIL 1678, BEFORE FRANCIS

FANE, KNIGHT OF THE BATH, THOMAS HUSSEY,

BART, CHRISTOPHER NEVILLE AND WILLIAM

YORKE, KNIGHTS.

INDICTAMENTA &C.

- 1 Alicia Cox de Eagle widow, [et] 2. Maria Cox de eadem spinster  
—quia ipsae communem tabernam cervisiae admissae

- custodire primo die Februarii et diversis aliis &c. quasdam personas ignotas in domo sua sedere bibentes et tipulantes et sese aliter malegerentes permisit [*sic*] contra formam &c.
- 3 + Robertus Grimball de Navenby, 4. + Maria uxor eius, 5. + Georgius Good de eadem, 6. Johannes Tayler de Bassingham, 7. + Anna Dawson de eadem, [et] 8. + Alicia Gunne de eadem widow—pro recusantibus 3 dies dominicos contra &c.
- 9 Willelmus Bardney de South Rawsby pro hospitando vagrantes et personas suspectas contra formam &c.
- 10 Robertus Bell de North Rawsby pro capiendo illicite 4 ferritts ex warren cuiusdam Henrici Humes generosi &c.
- 11 Johannes Leary de Sleaford Nova pro assessmento suo 2s. pro supervisore pauperum &c.
- 12 Georgius Christopher de Heckington pro detinendo bona et catalla cuiusdam Georgii Massey (his tooles).

Page 172.

#### FINES.

De Christophero Burnett de Marston sol' vic' iis. *vid.*

De Jacobo Rowland de Hougham sol' vic' vs.

#### EXITUS NULLI.

#### ORDERS.

Ordered that William Charlton be chosen constable of Hougham in the roome of Thomas Barson.

Ordered that the rates of the pencioners shall be againe reduced to 3*d.* per weeke throughout Kesteven.

- \* Johannes Mabbott de Claypoole pro sagittando columbas diversorum hominum ignotorum contra pacem &c.

Page 173.

LINCOLNE

KESTEVEN

SLEAFORD

MIDSUMMER

1678

GENERAL SESSION OF THE PEACE, HELD AT SLEAFORD, BY ADJOURNMENT, 30 JULY, 1678, BEFORE CHRISTOPHER NEVILE & WILLIAM YORKE, KNIGHTS, AND LISTER TIGH, ESQUIRE.

#### PROCESSUS PACIS DOMINI REGIS.

VENIRE FACIAS EASTER '78.

- 1 + Aliciam Cox de Eagle widow, 2. + Mariam Cox de eadem spinster, 3. + Robertum Grimball de Navenby, 4. + Mariam uxor eius, 5. + Georgium Good de Navenby, 6. Johannem Tayler de Bassingham, 7. + Annam Dawson de eadem, 8. + Aliciam Gunne de eadem widow, 9. \* Willelmum Bardney de South Rawsby, 10. Robertum Bell de North Rawsby, 11. \* Johannem Leary de Sleaford Nova, sessment paid, 12. \* Georgium Christopher de Heckington.
- 13 Thomam Ruth de Bassingham, 14. Milonem Farmery de eadem, 15. Willelmum Hall de Awburne, 16. Thomam Frith de Bassingham predicta, 17. Richardum Trees de

Newark in comitatu Nottingham, 18. Thomam Todd de Newarke predicta, 19. Georgium Bartrum de Newarke predicta, 20. Zouch Marston de eadem, [et] 21. Willelnum Hall de Marborough in parochia de Awber—(cert<sup>m</sup>).

Page 174.

- 22 Johannem Yarborough de Newarke generosum, 23. Anthonius Collingwood de eadem generosus, 24. Ricardum Trees de eadem labourer, 25. Miles Farmery de Bassingham labourer, 26. Petrum Blyth de Marborough, 27. Jacobum Blyth de eadem.

CAPIAS. CHRISTMAS '77.

- 7 Willelmu Flower de Carlton Scroope, 8. Henricum Parkins de Ancaster, 9. Willelmu Landers de eadem, 12. \* Thomam Olive de Claypoole, 13. + Matheum Christopher de Heckington.

ALIAS CAPIAS. MICHAELMAS '77.

- 6 \* Willelmu Short de Digby, 11. Samuelem Hopkinson de Billingay, 12. \* Johannem Ward de Claypoole. 13. \* Ricardum Ward de eadem, 14. \* Anthonium Jackson de eadem, 15. \* Hugonem Thompson de South Kyme, 16. Anthonium Hare de eadem, 17. \* Willelmu Dixon de Wellingore, 18. Thomam Hoyes de eadem, (mortuus<sup>m</sup>).

PLURIES CAPIAS MIDSUMMER '77.

- 2 \* Johannem Thoms de North Rawsby miller.

Page 175.

EASTER '77.

- 6 \* Johannem Cooke de Sleaford, exoneratus per curiam.  
9 \* Georgium Barton de Martin, [et] 10. \* Johannem Blancher de eadem—wages paid.  
11 Johannem Clarke de Wellingore.

CHRISTMAS '76.

- 2 Johannem Allen de Scawpwick, [et] 3. Carolum Hatfeild de eadem.

MICHAELMAS '76.

- 5 Ezekiel Faukner de Heckington, [et] 6. Idem Ezekiel Faukner.

MIDSUMMER '76.

- 2 Avery Morris de Hale Magna.

EASTER '76.

- 2 \* Thomam Duddike de Dogdike 2.  
3 Thomam Law de Wellingore 1s. 10d.

MICHAELMAS '74.

- 5 Georgium Saule de Ewerby.

Page 176.

RECOGNITIONES CAPTAE IN CURIA.

- \* Richardus Gilbert de Claypoole generosus in *xxli.* ad respondendum pro bono [gestu].  
\* Michaelis Lambert de North Kyme in *xxli.* pro consimili.  
\* Willelmus Lambert de eadem in *xxli.* pro bono gestu.  
— Robertus Bell de North Rawsby in *xxli.* ad respondendum (12s.<sup>m</sup>).

- Stephanus Bell de eadem in *xxli.* ad respondendum (12s.<sup>m</sup>).  
 \* Nathaniell Smyth de Boston generosus pro pace &c.  
 (Com<sup>m</sup>).

## RECOGNITIONES.

Savile armiger.

- \* Johannes Mitchell de Calverthorpe in *xxli.* pro pace.  
 (Estreat<sup>m</sup>) (d<sup>l</sup>).

Dr Fuller.

- \* Georgius Bartrum de Newarke in *xxli.* pro pace.  
 \* Ricardus Trees de eadem in *xxli.* pro pace.  
 \* Miles Farmery de Bassingham in *xxli.* pro pace.  
 \* Willelmus Hall de Marborow in *xxli.* pro pace.

Sir William Yorke.

- Diana Blackwell et Rosomond Wood ad prosequendum Grime  
 (prosequendum<sup>m</sup>).  
 \* Johannes Wakefeild de Quarrington in *xxli.* pro bono gestu.  
 \* Thomas Browne de Quarrington in *xxli.* pro consimili (3s.<sup>m</sup>).  
 Anna Grime de Ewerby in *xli.* ad respondendum (debet 8s.<sup>m</sup>).  
 Robert Soulby ad prosequendum.

Page 177.

Received then of Sir Christopher Nevile the summe of thirty seven shillings and six pence levyed upon Stephen Hall and others. I say received the said summe of 37s. 6d. for an vnlawfull conventicle.

Wm Willerton Deputatus Vicecomes.

Sir Christopher Nevile.

- \* Thomas Frith de Bassingham in *xxli.* pro pace.  
 \* Johannes Chapman de Eagle pro pace.  
 \* Isabell uxor eius pro pace.  
 \* Thomas Ruth de Bassingham in *xxli.* pro pace.  
 \* Georgius Read de Awber in *xli.* pro pace.  
 Ricardus Long de Potter Hanworth in *xli.* ad prosequendum  
 Sleight (prosequendum<sup>m</sup>).  
 Cornelius Emanson de Sleaford Nova, Christopherus Burnett  
 de Marston, [et] Willelmus Shalcross de Newarke generosus  
 —*cli.*  
 \* Alicia Cocke de Eagle pro bono gestu.  
 \* Maria Cocke de eadem spinster pro bono gestu.  
 Adam Oldfeild de Newarke ad prosequendum Anna Nicholson  
 (prosequendum<sup>m</sup>).  
 \* Anna Nicholson de Boultham ad respondendum.  
 \* Thomas Scrimshaw de Eagle in *xxli.* pro bono gestu.

Page 178.

Passes to be made for Anna Holt and the boyes into their owne Country.

Page 179.

LINCOLN  
KESTEVEN  
BOURNE  
MIDSUMMER  
1678

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, BY ADJOURNMENT, 29 JUNE 1678,  
BEFORE RICHARD CUST, BART, CHRISTOPHER  
CLAPHAM, KNIGHT, WILLIAM HYDE, ESQUIRE.

INDICTAMENTA &c.

- 1 Maria Pettiford de Irnham spinster, 2. Ellena Parkinson de Westby widow, 3. Maria Rimmington de eadem widow, 4. Elizabetha Sheppard de North Witham, [et] 5. Johannes Speet de Bourton Coggles—separati per 3 diebus dominicis &c.
- 6 Benjamin Johnson de Donsby clericus, [et] 7. Willelmus Hodgkin de Bourne yeoman—pro assessmento 40s. pro rectore de Dunsby.
- 8 Idem Benjamin Johnson pro 40s. assessmento pro terris suis &c.
- 9 Idem Benjamin Johnson pro duobus diebus minworkes<sup>1</sup> cum correctata &c.
- 10 Johannes Longfoot de Bourne, [et] 11. \* Johannes Oakeley de Morton—pro recusando accomptum inhabitantibus de Morton de expensis et receptis in execucione officii constabularii ad dampnum &c.
- 12 Anna Hudson de Uffington, [et] 13. Ellen Falkener de eadem—vagrants sent into Yorkeshire.
- 14 \* Edwardus Halliwell de Dyke husbandman 7s. assessmentum pro constabulario Thome Briggs &c.

Page 180.

ARRAINMENTA.

Willelmus Binge de Thurlby super arrainmentum suum placitavit culpabilis et cognovit et flagellatur &c. apud Bourne.

FINES.

De Jacobo Stepheno de Morton pro fine *xii*d.

De Johanne Longfoot de Bourne 2s. 6*d*.

De Michael Groves de Baston iis. *vid*.

De Jacobo Hardwick de Bourne butcher *xxs*. insolutus.

De Roberto Tayler de Wilsford iis. *vid*.

EXITUS NULLI.

FINES.

De Roberto Northen de Halliwell fine iis. *vid*.

Page 181.

FOLKINGHAM. MICHAELMAS '78.

RECOGNITIONES.

- \* Thomas Dale de Hanthorpe in *xxli*. pro bastardia (tenta de novo William Fowler & Richard Pell *xli*.<sup>1</sup>).

Jacobus Hardwick de Bourne butcher in *xli*. pro pace. (*dm*).

Hyde armiger.

- \* Thomas Sutton de Baston millwright in *xli*. pro pace. (*dm*).

<sup>1</sup> Query for 'boon works'.

- \* Esther Marrott de Baston in *xli.* ad respondendum. (d<sup>m</sup>).  
 Tigh armiger.  
 \* William Wright de Humby Parva in *xxli.* pro bono gestu.  
 \* Idem Willelmus Wright de Humby Parva predicta in *xli.*  
 ad respondendum.  
 Richard Wright de Bitchfeild in *xli.* ad prosequendum  
 William Murfin (exoneratus<sup>m</sup>).  
 Er. Deligne armiger.  
 \* Vincent Nixe de Stroxtton labourer ad comparandum et  
 respondendum pro pace, precipue versus Wm Browne de  
 Ponton.  
 Dr Fuller.  
 \* Willelmus Browne de Pauntun Parva clericus, ad respondendum  
 pro pace, precipue versus Vincent Nixe.  
 Hyde armiger.  
 (Thomas Andrew de Carlby<sup>1</sup>).  
 William Smith de Baston *xli.*  
 Charles Eldred & John Normanton *vli.* uterque.  
 Olive Smyth uxor eiusdem Willelmi. Iidem manuceptores *xli.*

Page 182.

VENIRE FACIAS.

- 1 Benjamin Johnson de Dowsby clericus 3, 2. Willelmus  
 Hodgkin de Bourne, 3. Johannes Longfoote de eadem,  
 4. Maria Pettiford de Irnham spinster, 5. Ellen Parkinson  
 de Westby, 6. Maria Rimmington de eadem, 7. Elizabetha  
 Shephard de North Wytham, 8. Johannes Speet de  
 Burton Coggles.

Page 183.

LINCOLNE	GENERAL SESSION OF THE PEACE, HELD AT
KESTEVEN	SLEAFORD, 30 JULY 1678, BEFORE CHRISTOPHER
SLEAFORD	NEVILLE AND WILLIAM YORKE, KNIGHTS, AND
MIDSUMMER	LISTER TIGH, ESQUIRE.

1678

INDICTAMENTA.

- 1 \* Robertus Struggles de Hale Magna pro fensuris irreparatis  
 apud Hale predictam contra &c.  
 2 Thomas Barnes de Sleaford Nova miller pro vadiis Jone  
 Winde *3li.*  
 3 + Anna uxor Johannis Nicholson de Boultham pro feloniam 2  
 diaper cloathes de bonis Thome Hayes.  
 4 Josephus Teare de Harmston super informacionem ad sectam  
 Danieli Draper. (comparuit, admitt' ad le traverse in  
*xli.*<sup>1</sup>)  
 5 Thomas Browne de Eagle pro recusando laborare secundum  
 ratas allocatas per Justiciariis pacis in his partibus contra  
 &c.  
 6 Josephus Sleight de Potter Hanworth, 7. Johannes Macocke  
 de eadem, [et] 8. Thomas Wilkinson de eadem—separales  
 quantitates feni diversorum hominum iniuste ceperunt et  
 asportaverunt contra pacem &c. (x<sup>m</sup>).

- 9 Jacobus Boulton de Blanckney, 10. Elizabetha Cole de eadem, 11. Willelmus Allen de Scawpwick, [et] 12. Davidus Vocatee de eadem—separatists 3 S[undays] cum multis aliis.

Page 184. SLEAFORD. MICHAELMAS 1678.

# RECOGNITIONES.

- \* Johannes Mitchell de Calverthorpe (ultima sessio d<sup>m</sup>).  
Anna Gryme de Ewerby, ad respondendum, (d' pro feodo<sup>m</sup>).  
Sir Francis Fane.
- \* Robertus Langworth de Wellingore ad comparendum pro pace & bono gestu.

Page 185.

- John Pell of Gosbertowne discharged of his imprisonment upon the Acts of Parliament for releife of poore prisoners for debt: he sweares he had only 4*li*. due upon bond.
- John Whitworth de Baston, exoneratus, an account filed. (exoneratus<sup>m</sup>).
- John Bennitt de Heckington 3*li*. upon bond from Belsthorpe & 26s. from John Hudson for corne sold and 26s. upon bond from Kenelm Phillips, 5*li*. for a mare from William Gibson, 5s. by John Todd (exoneratus<sup>m</sup>).
- Thomas Gibson de Pinchbeck 29s. due to him from one Thomas Wheeler mony lent (exoneratus<sup>m</sup>).
- Isaiah Browne de Burton Cogles 5s. due from John Buttery de Humby for part of mony for sheep sold (exoneratus<sup>m</sup>).
- John Blow de East Kirkby, nothing owing.
- William Craven de Bayl' Lincoln, nothing owing (exoneratus<sup>m</sup>).
- Richard Panne de Kirton 6*li*. by bond from H. Lamb and Robert Stow 10*li*. from the executors of Mr Peters 8*li*. by Bill from the executors of John Watson 10*li*. more from John Watsons executors.
- John Bingham de Belton a note of his debts filed.

Page 186.

LINCOLNE	GENERAL SESSION OF THE PEACE, HELD AT
KESTEVEN	FOLKINGHAM, 7 OCTOBER 1678, BEFORE
FOLKINGHAM	LISTER TIGH, WILLIAM GOODHALL & WILLIAM
MICHAELMAS	SAVILE ESQUIRES.
1678	INDICTAMENTA.

- 1 Johannes East de Somerby yeoman quia die capcionis hujus inquisicionis apud Somerby predictam fensuras suas versus communem Regiam viam reparare neglexit ad graue nocumentum &c.
- 2 Widow Saby de Uffington or de Deeping St Jacobi pro consimili.
- \* Matheus Boyall de Markett Deeping pro constabularii assessmento.

- 3 \* Johannes Corney de West Deeping generosus pro constabularii  
assessmento 5s. 3d.  
4 \* Willelmus Martin de eadem pro consimili 2d. non sol' &c.  
5 \* Edwardus Faulkner de eadem pro consimili 4d.  
6 \* Thomas Andrew de Carlby husbandman pro recusando  
obedire quoddam warrantum ei directum a iusticiariis  
paciis &c.  
7 Johannes Gilbert de Aslackby labourer & 8. Alicia uxor eius—  
quia existentes aetatem 16 annorum et amplius non acces-  
serunt ad ecclesiam parochialem per spacium trium dierum  
dominorum contra formam &c.  
9 × Willelmus Wright de Humby parva pro detinendo vadia  
cujusdam Anne Vincent contra &c.  
10 Ellena Parkinson de Westby widow, 11. Maria Rimmington  
de eadem widow, [et] 12. Johannes Gunthorpe de Castle  
Bytham—pro consimili ut Gilbert.

Page 187.

- 13 \* Edwardus Batchelour de Aslackby, 14. \* Thomas Howley  
de eadem, 15. \* Thomas Lawson de eadem, 16. \* Francis-  
cus Hill de eadem, & 17. \* Residuum inhabitantium eiusdem  
ville—quia die capcionis &c. quandam communem viam  
vocatam Aslackby Lane totaliter reparare neglexerunt sed  
in magno decasu remanere permiserunt contra &c.  
(Comparuerunt per J. Hyde attornatum et exitus res-  
pituatus usque ad proximam Sessionem<sup>1</sup>).  
18 Magdalen Tacey de Irnham, 19. Thomas Ingelow de eadem,  
20. Johannes Onyon de eadem, 21. Johannes Newcomb  
de eadem, 22. Jacobus Deacon de eadem, 23. Johannes  
Crunckhorne de eadem, 24. Elizabetha Arnold de  
Hawthorpe spinster, 25. Thomas Walbanckes de eadem,  
26. Katherina Clarke de Bulby, 27. Johannes Lewin de  
eadem, 28. Richardus Howitt de eadem, 29. Johannes  
Sympson de Corby, 30. Ricardus Brookes de eadem,  
31. Edwardus Crunckhorne de eadem, 32. Hieronimus  
Bertie de Lound generosus, 34. Johannes Speet de Burton  
Coggles, [et] 35. Elizabetha uxor Johannis Shepheard de  
North Wytham—quia . . . non accesserunt ad ecclesias  
suas parochiales . . . infra tres menses. . .

ARRAINMENTA NULLA.

EXITUS NULLI.

FINES NULLI.

Page 188.

SLEAFORD  
MICHAELMAS  
1678

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 8 OCTOBER 1678, BEFORE FRANCIS  
FANE AND HENRY HERON, KNIGHTS OF THE  
BATH.

INDICTAMENTA.

- 1 \* Major Grococke de Bennington Longa quia die capcionis  
hujus inquisitionis apud Bennington Longa [sic] predictam

summam octo [*sic*] super eum legitime assessatam constabulario solvere recusavit contra &c.

- 2 \* Johannes Threaves de Gunwarby pro assessmento constabularii de Marston 2s. 1*d.* Christophero Burnett contra &c.  
 3 Arthurus Langworth de Fulbecke, 4. Jona Wray de eadem widow, [et] 5. Elizabetha Lane de eadem—recusantes per tres menses prout &c.  
 6 Francesca Howard de Donston widow, 7. Robertus Warriner de eadem, 8. Susanna Hawney de eadem, 9. Elizabetha domina Widdrington de Blanckney, 10. Jacobus Boulton de eadem, 11. [*blank*] Culsher de eadem generosus, 12. Willelmus Woods de eadem, 13. Josephus Wilson de eadem, 14. Elizabetha Tayler de eadem widow, [et] 15. Sara Hixon de eadem—pro consimili &c.

Page 189.

- 16 Thomas Tayler de eadem, 17. Willelmus Allen de Scawpwicke generosus, 18. Davidus Fogarthy de eadem generosus, 19. Johannes Codd de Billingay, 20. Willelmus Sutton de Walcott, [et] 21. Ellinor Sutton de eadem—pro consimili &c.  
 22 × Willelmus Bunby de Potterhanworth, 23. × Alicia Bunby de eadem widow, 24. × Alicia Johnson de eadem widow, 25. × Edwardus Bunby de eadem, 26. × Robertus Stennitt de eadem, 27. × Elizabetha Bell de eadem, 28. Johannes Boltflower de eadem, 29. — Henricus Nutt de eadem, 30. — Johannes Huggard de eadem, 31. Franciscus Watson de Donston, 32. Willelmus Webster de eadem, 33. Marabella uxor Thome Jackson de eadem, 34. — Robertus Jessup de Blanckney, 35. — Nicholaus Ashton de Scawpwicke, 36. — Clementius Rossington de eadem, 37. Anna Robson de Brandon widow, 38. + Randall Pattison de Beckingham, 39. + Maria Parker de eadem widow, 40. + Johannes Greene de eadem, 41. Willelmus Burditt de eadem (mortuus<sup>m</sup>), 42. + Ricardus Burditt de eadem, 43. Katherina Massey de Sutton (mortua<sup>m</sup>), 44. + Thomas Everitt de Willowby yeoman, [et] 45. + Samuel Everitt de eadem—pro non veniendo ad ecclesias suas parochiales per tres dies dominicos ult' pret'.

Page 190.

- 46 + Johannes Killingley de eadem, 47. + Benjamin Roper de eadem, 48. + Robertus Roper de eadem, 49. Samuel Roper de eadem (mortuus<sup>m</sup>), 50. Edwardus Lound de eadem, 51. + Ricardus Gunby de Sudbrooke, [et] 52. Willelmus Whitby de Doddington (mortuus<sup>m</sup>)—pro consimili &c.  
 53 \* Ricardus Saule de Blanckney pro assessmento 8s. Willelmo Quincey constabulario &c. assessmentum solutum.

ARAINMENTA NULLA.

## EXITUS.

De Timotheo Knight de Stragglethorpe quia non comparuit  
xs.

## FINES NULLI.

Ordered Mr Nathaniel Hobson be reimbursed by the present  
treasurer of the Marshalsey the summe of 2*li.* 10*s.* 8*d.* out  
of purse in his yeare.

Ordered that Henry Sutton of Scawpwick have his pencion  
of 40*s.* per annum revived.

Ordered the like for Richard Wright of Ashby de la Land.

Page 191. FOLKINGHAM. CHRISTMAS 1678.

Mr Tigh.

- \* William Newton de Irnham generosus in 40*li.* pro bono gestu.
- \* Jacobus Deacon de Irnham in 40*li.* pro bono gestu.
- \* Johannes Broxholme de Irnham in 40*li.* pro consimili.
- \* Willelmus Sutton de Paunton parva in 40*li.* pro consimili.
- Edwardus Tompkin de eadem pro consimili in 40*li.* (3*s.* in part<sup>l</sup>).
- \* Petrus Willow de Irnham et Isabell uxor in 40*li.*
- Edwardus Cronkhorne de eadem in 40*li.* pro consimili (pauper<sup>m</sup>).
- Johannes Aske de eadem generosus in 40*li.* pro consimili (estreat d<sup>m</sup>).
- ≡ Johannes Simpson de Corby in 40*li.* pro consimili (3*s.* in part<sup>l</sup>).
- × Katherina (uxor Johannis<sup>l</sup>) Thimbleby (gent<sup>l</sup>) de Irnham in 40*li.* pro consimili. (nihil<sup>m</sup>).
- × Katherina Drewry (uxor Johannis<sup>l</sup>) de Irnham in 40*li.* pro consimili. (nihil<sup>m</sup>).
- Ricardus Brookes de Corby in 40*li.* pro bono gestu (2*s.* 6*d.* in part<sup>l</sup>).
- \* Johannes Drewry de Irnham in 40*li.* pro bono gestu &c.
- \* Johannes Thimbleby de eadem generosus in 40*li.* pro consimili.
- × Lucy Brookes de eadem in 40*li.* pro consimili. (nihil<sup>m</sup>).

Page 192.

John Winge [and] Michael Tayler sworne.

Mr Savile.

Georgius Ward de Swayton in xx*li.* ad respondendum.

Deligne armiger.

- \* Robertus Shepheard de Woolstropp in 40*li.* pro pace [versus] Honorabilem Johannem (dominum<sup>l</sup>) Rows.

Hyde armiger.

Georgius Featherstone de Markett Deeping in x*li.* pro (pace<sup>c</sup>) (ad respondendum<sup>l</sup>) ad prosequendum Skeath. (prosequendum<sup>m</sup>).

- \* Johannes Powers de Markett Deeping generosus pro pace versus (Wildbore<sup>c</sup>) Thorpe.
- \* Robertus Clarke de Langtofte in x*li.* pro pace versus Cattell.

- \* Barth. Hunt de Market Deeping (manu captor<sup>m</sup>).  
Anna Hunt uxor eius ad respondendum versus Featherston ad  
prosequendum Annam Hunt. (prosequendum<sup>m</sup>).
- \* Edwardus Gutheridge de Bourne in xli. pro pace versus  
uxorem Robinson.

Sir Richard Cust.

- \* Thomas Spell de Bourne victualler ad respondendum.
- \* Robertus Sympson de Dyke pro consimili.
- \* Johannes Powers de (Bourne<sup>o</sup>) Deeping Markett pro pace  
versus Wildbore.
- \* Idem Johannes Powers pro pace versus Hartwell.

Page 193.

- \* Jacobus Gann de Markett Deeping pro pace versus eundem.
- \* Idem Jacobus Ganne pro pace versus Hartwell.
- \* William Hunt de Market Deeping victualler pro consimili.
- \* William Hunt de eadem versus Wildbore.
- \* Jona uxor predicti Hunt pro consimili &c.  
(Predicta Jona Hunt pro pace versus Hartwell<sup>l</sup>).
- \* William Thorpe de Market Deeping labourer.
- \* Richardus Hartwell de Markett Deeping versus Johannem  
Powers.
- \* Robertus Wildbore de Glenton in comitatu Northampton.  
Ordered that Tho. Ding be constable of South Witham a  
warrant to bring him in to be sworne.

Page 194. SLEAFORD. CHRISTMAS '78.

- \* Johannes Enderby de Dirrington gentleman pro bono gestu.  
Thomas Watson de Ruskington pro consimili versus Beeles.
- \* Ricardus Parke de Sleaford pro pace versus Sharpe.
- \* Hugh Allen de Scawpwicke pro bono gestu.
- \* Davidus Fogarthy de eadem pro consimili.
- \* Willelmus Allen de eadem pro consimili.
- Willelmus Sutton de Walcott pro consimili. (received 3s<sup>m</sup>).
- \* Willelmus Allen de Cranwell pro consimili.
- \* Elizabetha King de Aswarby pro consimili. (allegiance<sup>m</sup>)  
(exonerata<sup>l</sup>).
- \* Robertus Shelbourne de South Kyme pro consimili.
- Ellinora uxor eiusdem Roberti. (d<sup>m</sup>).
- \* Georgius Enderby de Dirrington pro consimili.
- \* Francesca Savage de Rowston spinster pro consimili. (took  
oath<sup>o</sup>) (supremacy<sup>m</sup>) (exonerata<sup>l</sup>).
- \* Susanna Hawney de Dunston pro consimili. (allegiance<sup>o</sup>)  
(d<sup>m</sup>).

Page 195.

- \* Ursula Dawson de Metheringham pro consimili. (allegiance<sup>o</sup>)  
(d<sup>m</sup>).
- \* Ricardus Clarke (junior<sup>l</sup>) de Nocton pro consimili.
- \* Idem Ricardus Clarke (junior<sup>l</sup>) pro consimili.
- \* Arthurus Langworth de Fulbecke generosus.

Willelmus Patman ad prosequendum versus Robertum Cocke. (prosequendum<sup>m</sup>).

Joseph Kirke de Skredingdone (ad respondendum<sup>c</sup>) ad prosequendum Palmer. (prosequendum<sup>m</sup>).

John Palmer de eadem ad respondendum pro felonia.

- \* Johannes Fox de Heighington in 20*li*. ad respondendum pro Sarah Morris bastard. (tenta de novo per John Bellamy de Heighington<sup>cl</sup>) (d d<sup>m</sup>).

Savile armiger.

John Hill de Witham super montem ad prosequendum Mar' Bosuell. (prosequendum<sup>m</sup>).

William Dove de Aunsby ad prosequendum versus eundem. (prosequendum<sup>m</sup>).

- \* William Barker de Eagle pro bono gestu.

- \* John Easton de Boultham pro consimili.

- \* Phillip Easton de eadem pro consimili.

- \* Margaretta Easton de eadem pro consimili. (allegiance<sup>m</sup>) (exonerata<sup>l</sup>).

Page 196.

Henry Barker & Elizabeth his wife to [be] sent & settled at Waddington in Comitatu Civitatis Lincoln &c.

James Boulton de Blanckney, Maria Clarke, Margarea Bennington, Elizabetha Tayler, [et] Willelmus Woods—d'.

Johannes Day de Marston, John Gray de Hough super montem, [et] Edmundus Andrews de Hougham—juraverunt to both oathes. (x<sup>m</sup>).

Richard Lambe of Metheringham a poore prisoner discharged at this Session upon the Acts.

Page 197.

LINCOLNE

GENERAL SESSION OF THE PEACE, HELD AT

KESTEVEN

FOLKINGHAM, 13 JANUARY 1678-9, BEFORE

FOLKINGHAM

THOMAS HARRINGTON & LISTER TIGH, ESQUIRES.

CHRISTMAS

1678

INDICTAMENTA &c.

- 1 Elizabetha Clincke de Kirkby underwood vidua pro custodiendo tabernam cervisie sine licentia duorum justiciariorum pacis contra formam statuti &c.
- 2 \* Jacobus Harwood de Uffington yeoman quia xx<sup>o</sup> die Novembris ult' pret' apud Uffington predictam quandam Danielelem Bland legitimum servum suum retentum e servitio suo ante finem termini sui iniuste et sine causa exclusit contra formam &c. (Fine remitted<sup>l</sup>).
- 3 \* Johannes Gull de Pointon pro capiendo tresdecim perdices cum retibus et aliis enginis contra formam statuti &c.
- 4 \* Henricus Plumpton de Deeping St Jacobi hempdr',  
5. \* Thomas Bayley de eadem tanner, 6. \* Johannes Smith senior de Frogneil in eadem parochia yeoman, [et]  
7. \* Willelmus Stamford de eadem yeoman—quia existentes

supervisores pauperum eiusdem ville officium suum neglexerunt in non providendo habitationem pro quadam Maria Portwood contra formam &c.

- 8 Jonathan Rutkin de Manthorpe pro non solvendo constabulario assessmentum iiiis. *vid.* Tho. Whinyates.

*Page 198.*

- \* Elizabetha Clarke de Manthorpe predicta vidua quia die capcionis hujus inquisitionis apud Manthorpe predictam sepes et fensuras suas versus communem viam reparare neglexit ad grave nocumentum &c. (*Distringas<sup>m</sup>*) (*fences repaired, exonerata<sup>1</sup>*).
- 10 Willelmus Skeffington de Dyke in parochia de Bourne pro recusando laborare secundum ratas allocatas per justiciarios et manucepta opera non performando contra formam statuti &c.
- 11 Willelmus Newton de Irnham generosus, 12. Jacobus Deacon de eadem, 13. Johannes Broxholme de eadem, 14. \* Willelmus Sutton de Little Paunton (*Comparuit et exoneratus<sup>m</sup>*), 15. Edwardus Thomkins de eadem, 16. Petrus Willows de Irnham, 17. Edwardus Crunckhorne de Corby, 18. Johannes Aske de Irnham, 19. Johannes Simpson de Corby, 20. Katharina Thimbleby de Irnham, 21. Ricardus Brooke de Corby, 22. Johannes Drewry de Irnham, 23. Johannes Thimbleby de eadem armiger, 24. Lucia Brooke de Corby predicta, 25. Jacobus Walbancks de Bulby, 26. Ricardus Hewitt de eadem, 27. Anna Hewitt de eadem, 28. Johannes Howlett de eadem, 29. Petrus Beeston de eadem, 30. Thomas Walbancks de eadem, & 31. Francesca uxor eius—quia existentes aetatis 16m. anno [*sic*] et amplius in aperta curia ad hanc Sessionem sacramenta supremacie et ligeancie in separalibus statutis mencionata obstinate prestare recusaverunt contra formam statuti &c. if they appeare not next Session a writt of Premunire to yssue out. Warrant pro bono portu versus omnes ad respondendum presentamenta to Corby 13th. instant.
- 32 Alicia Glover de Elsthorp widow 3 Sundayes &c.

*Page 199.*

#### ARRAINMENTA.

Elizabetha Ward super arrainmentum placitavit non culpabilis. Juratores dicunt quod non culpabilis nec fugit. Ideo &c. Willelmus Skeath de Market Deeping super arrainmentum suum placitavit non culpabilis et posuit se. Juratores dicunt quod culpabilis ad valenciam *xd.* flagellatur.

#### EXITUS.

Robertus Storey de North Witham *xs.* Willelmus Green de Osburnby *xs.* Robertus Wilcox de Thurlby *xs.*

#### FINES.

Robertus Sheppard de Woolstrop *1s.* Anna Hunt de Market Deeping *1s.*

## ORDERS.

Ordered that Mr Henry Breerwood shall haue *5li.* paid him by the treasurer of the Marshalsey for his releife.

Ordered that Thomas Dale de Harinthorpe shall pay *1s. 6d.* a weeke towards the releife of a bastard child begott upon the body of Anne Pell &c.

Page 200.

## RECOGNITIONES.

Thomas Dale de Harinthorpe in *40li.* Willelmus Abell de eadem [et] Christopherus Clay de (eadem<sup>e</sup>) Hackonby—manucriptores ad performandum ordinem curie proxima Sessione.

Page 201.

LINCOLN  
KESTEVEN  
SLEAFORD  
CHRISTMAS  
1678

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 14 JANUARY 1678–9, BEFORE THOMAS  
HUSSEY, BART, CHRISTOPHER NEVILLE, WILLIAM  
YORKE, KNIGHTS, AND WILLIAM LISTER,  
ESQUIRE.

## INDICTAMENTA &amp;C.

- 1 \* Willelmus Allen de Potterhanworth, [et] 2. \* Johannes Allen de eadem—quia primo die Januarii ult' pret' apud Nocton in partibus et comitatu predictis clausum et parcum cuiusdam Willelmi Ellis bar' servientis ad legem fregit et intravit et duos cuniculos ipsius Willelmi Ellis ad tunc et ibidem ceperunt necuerunt et asportaverunt contra pacem &c. (Comparuerunt per Shore<sup>1</sup>).
- 3 \* Willelmus Matkin de Sleaford Nova pro recusando solvere assessmentum suum—*iiis. iiii.* John Johnson constabulario &c. (Assessmentum solutum constabulario<sup>1</sup>).
- 4 ≡ Hugo Allen de Scawpwicke, 5. ≡ Davidus Fogarthy de eadem, 6. ≡ Willelmus Allen de eadem junior. 7. Willelmus Sutton de Walcott, 8. ≡ Willelmus Allen de Cranwell, 9. Robertus Shelburn de South Kyme, 10. Georgius Enderby de Dirrington, (sick<sup>m</sup>), 11. Francesca Savage de Rowston spinster, 12. Ursula Dawson de Metherringham, 13. Ricardus Clarke (senior & junior<sup>1</sup>) de Nocton, 14. Willelmus Barker de Eagle, [et] (John Enderby, de Dirrington gentleman<sup>1</sup>)—pro recusando recipere sacramentum allegiance et supremacie coram Justiciariis pacis in aperta Curia &c.

Page 202.

- 15 Johannes Easton de Boultham, 16. Phillip Easton de eadem, 17. Jacobus Bolton de Blanckney generosus, 18. Maria Clarke de eadem, 19. Margerea Pinnington de eadem, 20. Elizabetha Tayler de eadem, [et] 21. Willelmus Woods de eadem—pro consimili &c.
- 22 \* Robertus Smyth de Kelby generosus pro vadiis Francisci Holland 20s.

## ARRAINMENTA.

Johannes Palme[r] de Screddington super arrainmentum suum placitavit non culpabilis et posuit se. Juratores dicunt quod culpabilis ad valenciam *xid.* et flagellatur &c.

Robertus Cocke de Heckington super arrainmentum suum cognovit indictamentum flagellatur &c.

Maria Boswell de Civitate Lincoln' super arrainmentum suum similiter cognovit et flagellatur.

## EXITUS.

Thoma Lyon de Bloxholme xs.

## FINES NULLI.

BOURNE EASTER 1679.

Page 203.

Mr Tygh.

— Jeremy Bertie de Lound esquire in *40li.* pro bono gestu.

\* Thomas Ball de Irnham in *40li.* pro consimili. (Juravit<sup>m</sup>)  
(3s. in part<sup>l</sup>).

\* Samuel Key de Irnham in *40li.* pro consimili. (Juravit<sup>m</sup>).  
(4s. in part<sup>l</sup>).

— Anna Key uxor eius pro consimili.

\* Johannes Beeston de Irnham in *40li.* pro consimili. (Juravit<sup>m</sup>).

≡ Mary Chester de Irnham in *40li.* pro consimili. (Juravit<sup>m</sup>).  
(2s.<sup>l</sup>).

\* Willelmus Drewry de eadem in *40li.* pro consimili.

\* Francesca Wright de Hawthorpe in *40li.* pro consimili.

≡ Isabella Willowes de Irnham in *40li.* pro consimili. (4s.  
in part<sup>l</sup>).

\* Winifred Ball uxor Thome Ball de Irnham pro consimili.  
(received 2s. in part<sup>l</sup>). (Juravit<sup>m</sup>).

\* Willelmus Mastin senior de Heath Hall in Harroby pro  
consimili. (Juravit<sup>m</sup>).

\* Robertus Thorold de eadem esquire in *40li.* (Juravit<sup>m</sup>).

— Sr Robert Thorold de eadem barronett in *40li.* (agreed<sup>m</sup>).

≡ Maria Greenbury de Hawthorpe in *40li.* (4s. in part<sup>l</sup>). (dm<sup>m</sup>).

\* Johannes Tholor<sup>1</sup> de eadem generosus in *40li.*

Page 204.

Daniel Jefferson de Humby magna in *20li.* ad comparendum.  
(poore<sup>m</sup>).

\* Maria uxor Johannis Allett de Ropsley in *20li.* ad respondendum.  
(Mr Watson hath the mony<sup>em</sup>).

\* Obadiah Byard de Ropsley in *20li.* pro consimili. (Mr Watson  
hath the mony<sup>em</sup>).

\* Willelmus Nutkin de Ingoldsby in *20li.* pro consimili.

\* Anna Tebb de Kerkby Underwood in *20li.* ad respondendum.

Jonathan Wilson ad prosequendum Jefferson et alios,  
Willelmus Wethers ad prosequendum Tebb, [et] Marg.  
Smith ad prosequendum Tebb—exonerati.

Sir Christopher Clapham.

\* Thomas Blades de Uffington in *20li.* shooting pidgeons.

\* Johannes Newman senior de eadem in *xxli.*

<sup>1</sup> Corrected from 'Tholol,' probably for 'Toller'.

- \* John Newman junior de eadem ad respondendum.  
Bridgett Waterfeild ad prosequendum Newman juniorem,  
Elizabeth Sims ad prosequendum Thomam Blades et  
Newman seniore, [et] John Turner ad prosequendum all—  
prosequendum.
- William Bull de Bourne ad prosequendum Plummer (pro—  
sequendum<sup>m</sup>).

Mr Farmer.

- \* Phillip Spereman de Bourne in *xxli.* (sol' clerico<sup>m</sup>).
- \* Robertus Hodgkin de eadem in *xx.* [*li.*] pro bastardia.

Page 205.

Mr Smith, Nicholas Pell.

Harrington.

- \* Esiah Browne de Burton Coggles in *xxli.* ad respondendum.  
Ordered Johannes Jackson of Morton haue 1s. 6*d.* a weeke by  
the overseers of the poore for his mayntenance.
- \* Johannes Julian de Carby, [et] Thomas Grayne de eadem—  
in *xli.* ad prosequendum Thomam Norton.  
SLEAFORD. EASTER 1679.
- \* Thomas Lyon de Bloxholme pro ingrossando peas &c.
- \* Franciscus Lyon de eadem pro ingrossing cattell &c.  
Willelmus Adlin de Billinghay pro ingrossando corne super  
terram.
- \* Robertus Winter de Digby shooting pidgeons &c.

Page 206.

SLEAFORD. EASTER '79.

Hussey.

- \* Thomas Burr de Eagle husbandman pro bono gestu.
- \* Willelmus Waddington de Eagle pro consimili.
- \* Hugo Leadall de Kyme pro consimili. (2 recognitiones<sup>m</sup>).
- \* Idem Hugo Leadall de South Kyme in *xxli.*
- \* Johannes Fox de Heighington in *xxli.*  
Thomas Watson de Ruskington in *xxli.* pro bono gestu.

Page 207 [*blank*].

Page 208.

LINCOLN  
KESTEVEN  
BOURNE  
EASTER  
1679

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, 8 [?APRIL] 1679, BEFORE CHRISTOPHER  
CLAPHAM, KNIGHT, THOMAS HARRINGTON,  
LISTER TIGH, WILLIAM GOODHALL AND THOMAS  
FARMER, ESQUIRES.

INDICTAMENTA.

- 1 Thomas Hilton de Bourne, 2. Anna Hilton uxor eius,  
3. Thomas Bourton de eadem, [et] 4. Ellen Pearson de eadem  
—pro injuste et illicite capiendo et asportando unum  
gallum pugnatum de bonis et catallis cujusdam Mathei  
Quiningbrough contra pacem &c.
- 5 \* Robertus Jordan de Langtofte pro permittendo malam  
gubernacionem in domo sua contra formam &c.

- 6 \* Thomas Wingate de Manthorpe pro rescusando centum et 40<sup>ta</sup> oves a quodam Roberto commune imparcatore ibidem contra pacem domini Regis &c.
- 7 Johannes Newman de Uffington junior, 8. Johannes Newman senior de eadem, [et] 9. Thomas Blades de eadem—pro exonerando tormenta et occidendo columbas contra formam &c.
- 10 Willelmus Beaver de Deeping St Jacobi victualler pro negligendo vigiliis suas nocturnas contra &c.
- Page 209.*
- 11 Anna Mathews de Somerby widow pro non recipiendo sacramentum cene dominice per spacium quinque annorum contra &c.
- 12 Eadem Anna Mathews pro non veniendo ad ecclesiam parochialem per spacium trium dierum dominicorum contra formam &c.
- 13 Elizabetha uxor Thome Middlebrooke de Spittlegate pro consimili &c. contra &c.
- 14 Robertus Arnold de Swayfeild generosus pro detinendo 12s. 6d. vadia a quadam Maria uxore Thome Bills de Bourne contra &c.
- 15 Johannes Gunthorpe de Castle Bytham, [et] 16. Radulphus Hare de eadem (Bytham parva<sup>1</sup>)—pro consimili ut Elizabetha Middlebrooke contra formam &c.

## ARRAINMENTA.

Ricardus Plummer de Bourne, & Josephus Catlin de Deep: St Jacobi—super arrainmenta sua placitaverunt non culpabilis et postea cognoverunt indictamentum pro parva latrocinia et flagellantur.

*Page 210.*

## FINES.

De Thoma Blades de Uffington sol' vic' vs.

De Johanne Newman seniore de eadem sol' vs.

De Johanne Newman juniore de eadem sol' vic' vs.

## EXITUS.

- \* De Roberto Beaver juniore de Baston generoso xs. (exoneratus<sup>m</sup>).

De Henrico Russells de Dembleby xs. (exoneratus<sup>m</sup>).

## RECOGNITIONES PRO TRAVERSE.

- Thomas Hilton de Bourne in *xli.*, (to be estreated<sup>m</sup>), [et] Thomas Burton de eadem in *xli.*—ad comparandum proxima Sessione et ad proseguendum traverse cum effectu &c. ad proximam Sessionem &c.

## SLEAFORD. EASTER 1679.

- \* Johannes Sands de Brant Broughton, \* Ellena uxor eius, ≡ Willelmus Hardy de eadem, \* Elizabetha uxor eius, [et] \* uxor Willelmi Dauson de eadem—quia ipsi die capcionis hujus inquisitionis apud Brant Broughton predictam et diuersis aliis diebus et vicibus tam antea quam postea communes sunt fractores sepium vicinorum suorum ad grave nocumentum &c. ac contra &c.

Page 211.

BOURNE. MIDSUMMER 1679.  
RECOGNITIONES AD HANC SESSIONEM.

Mr Goodhall.

- \* Thomas Nicholson de Scottlethorpe ad respondendum.
- \* Martha Carter de Swinstead pro pace.
- \* Isabell Carter de eadem pro consimili.
- ≡ Maria Carter de eadem pro consimili. (debet<sup>m</sup>).
- \* Johannes Carter de eadem pro consimili.

Sir R. Cust.

— Elizabetha Styles de Deeping St James pro pace. (debet 2s.<sup>1</sup>)

Sir Christopher Clapham.

- \* Thomas Burgesse de eadem ad respondendum.
- \* Henricus Grey de Stainfeild in xli. ad respondendum. (run away<sup>c</sup>) (tenta de novo per Henricum Baxter in xxli.<sup>1</sup>) (sol<sup>m</sup>).

William Hyde armiger.

— Uxor Johannis Rentam de Bourne pro pace. (debet 2s.<sup>m</sup>).

Mr Jolley fine 40s.

Mr Dale to have 30s. here & 30s. at Sleaford.

Page 212.

SLEAFORD  
EASTER  
1679

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 29 APRIL 1679, BEFORE CHRISTOPHER  
NEVILE AND WILLIAM YORKE, KNIGHTS.  
INDICTAMENTA.

- 1 \* Willelmus Standish de Timberland generosus, [et] 2. \* Jacobus Huggin de eadem—pro obstando execucionem cujusdam warranti directi a Willelmo Yorke milite uno custodiam pacis &c.
- 3 \* Ricardus Hubbert de Thorpe super Montem pro frangendo et intrando carcerem communem pecuarium et rescusando vnam equam ibidem legitime detentam contra pacem &c. (submitted fine vs. sol' vic<sup>1</sup>).
- 4 Georgius Enderby de Dirrington, (mortuus<sup>m</sup>), 5. Johannes Enderby de eadem, 6. Arthurus Langworth de Fulbeck generosus, 7. Georgius Hawson de eadem, [et] 8. Sara Blowe de eadem widow—pro non veniendo ad ecclesias suas parochiales per tres menses ult' pret' contra formam &c.
- 9 Jona Wray de Fulbeck widow, 10. Johannes Richardson de Hough super montem, 11. Johannes Pullen de eadem, [et] 12. Johannes Grey de eadem—pro consimili.

Page 213.

- 13 + Johannes Petchill de Carlton Scroop, 14. + Johannes Walley de Normanton, 15. + Ricardus Burditt de Beckingham, 16. + Randolph Pattison de eadem, [et] 17. + Maria Parker de eadem—pro consimili 3 S[undays].
- 18 \* Ricardus Saule de Blanckney pro 8s. assessmento constabulario eiusdem ville &c. (solutum Ricardo Garthwait<sup>1</sup>).

- 19 \* Thomas Barnes de Sleaford quia ipse compotatus fuit super die dominico contra &c.

ARRAINMENTA NULLA.

FINES NULLI.

EXITUS.

De Georgio Bellamy de Kelby xs.

De Edwardo Theaker de Norton Disney xs.

FINES.

De Laurencio Barrow de Nocton iis. vid. sol' vic'

Page 214.

ORDERS.

Ordered that Thomas Jessopp be still continued in the house of correction.

Ordered that Richard Warriner haue a pention of 40s. per annum in the roome of John Bellamy.

Thomas Clayton of Dunston xxs. per annum.

Edwardus Wilkinson of Ewarby xxs. per annum.

TREASURES [*sic*] CHOSEN.

Sir William Yorke knight for the Marshalsey.

William Thompson gentleman for the maymed soldiers.

Ordered that the treasurer of the Marshalsey pay 8*li*. 12s. towards the Shire Hall repaires and the summe of 40s. [*blank*] towards the mayntenance of Rebecca Witt and her child.

Ordered that the present treasurer of the maimed soldiers shall receive what mony is in the hands of Mr Jolley late treasurer.

Ordered that Robert Willye of Bourne make a particular account to the towne of Bourne what was made of the goods of Wm Heade of Bourne deceased, or [answer] the contrary before the (2<sup>d</sup>) next justices of the peace &c.

Page 215.

SLEAFORD. MIDSUMMER '79.

RECOGNITIONES AD HANC SESSIONEM &c.

Thomas Watson de Ruskington in xx*li*. pro bono gestu. (d<sup>m</sup>).

John Veer de Washingbrough [et] William Vere de eadem in xs. [*sic*] uterque.

A warrant against Charles Brandon pro contemptu.

A warrant against William Allen de Scawpwick to bring him in.

Adjourn'd to the 8 May.

IN CURIA.

Henricus Phillips de Morton in xx*li*. pro bono gestu.

Page 216.

LINCOLNE

KESTEVEN

BOURNE

MIDSUMMER

1679

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, 14 JULY 1679, BEFORE RICHARD  
CUST, BART, WILLIAM HYDE, LISTER TIGH  
AND WILLIAM GOODHALL, ESQUIRES.

INDICTAMENTA.

- 1 \* Anna Pell de Hanthorpe vidua quia primo die Julii ult' pret' apud Hanthorpe predictam vigiliis suas nocturnas agere neglexit contra &c.

- Antoni<sup>us</sup> Burbidge de Bourne pro non reparando fensuras  
 2 suas per quod &c. ad graue nocumentum &c.  
 3 \* Rogerus Jourden de Baraby yeoman pro consimili (ut Pell).  
 4 \* Georgius Dawson de Humby parva pro frangendo communem  
 carcerem pecuarium et rescusando separalia catalla contra  
 &c.  
 5 Willelmus Wright de Humby parva pro consimili &c.  
 6 Anna uxor Thome Middlebrooke de Spittlegate, 7. Willelmus  
 Sutton de Paunton Parva, & 8. Maria Hunt de North Stoake,  
 [et] 9. Ricardus Brackleby de Somerby—pro recusando  
 3 Sundays.  
 10 Johannes Watson de Somerbye carpenter pro harborando et  
 hospitando quasdam personas intempestivis temporibus  
 noctis ad graue dampnum inhabitantium &c.  
 11 \* Willelmus Martin de West Deeping 3 boon days.  
 12 \* Matheus Boyall de Markit Deeping assessmentum.  
*Page 217.*  
 11 Johannes Thimbleby de Irnham generosus, 12. Katherina  
 uxor eius, 13. Alicia Crunckhorne de eadem, 14. Johannes  
 Drewry de eadem, 15. Thomas Ball de eadem,  
 16. Edwardus Simpson de eadem, 17. Jacobus Deacon  
 de eadem, 18. Katherina Browne de Bulby widow,  
 19. Daniel Browne de eadem, 20. Maria Beetson de eadem,  
 21. Petrus Beetson de eadem, 22. Thomas Walbancks de  
 Hawthorp, 23. Jacobus Walbancks de eadem,  
 24. Elizabetha Awstin de eadem widow, 25. Ricardus  
 Brookes de Corby, 26. Johannes Sympson de eadem,  
 27. Edwardus Crunckhorne de eadem, 28. Ricardus Clarke  
 de eadem, [et] 29. Jerom' Bertie de Lound armiger—pro  
 obstinate recusando et tribus mensibus ult' preteritis &c.  
 30 Johannes Gunthorpe de Castle Bytham, 31. Elizabetha  
 Shephard de North Witham, 32. Radulphus Hare de  
 Bytham Parva, 33. Maria Rimmington de Westby widow,  
 [et] 34. Maria Parkinson de eadem widow—pro 3 S[undays].

## ARRAINMENTA NULLA.

*Page 218.*

## FINES.

De Johanne Carter de Swinestead et aliis iiii.

De Henrico Morris de Syston vs.

De Willelmo Beet de Welby vs.

## EXITUS NULLI.

*Page 219.*SLEAFORD  
MIDSUMMER  
1679GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 15 JULY 1679, BEFORE THOMAS  
HUSSEY, BART, WILLIAM YORKE, KNIGHT,  
ERASMUS DE LIGNE AND WILLIAM SAVILE,  
ESQUIRES.

## INDICTAMENTA.

- 1 ≡ Ricardus Everit de Hunnington pro assessmento 2s. 6d.  
 Carlton Scroop.

- 2 Johannes Olive de Claypoole pro frangendo carcerem pecuarium et liberando tres vitulos contra pacem &c.
- 3 \* Johannes Clarke de Wellingore yeoman pro communi nocumento duos fasciculos feni super communem (viam<sup>e</sup>) illicite cum sepe inclusit ad grave nocumentum &c.
- 4 Johannes Gray de Hough super montem, (mortuus<sup>m</sup>), 5. Judith Simpson de eadem, 6. Maria Parkins de Gelston widow, 7. Arthurus Langworth de Fulbeck generosus, 8. Johannes Richardson de Hough predicta, 9. Johannes Pullen de eadem, 10. Anna Robson de Brandon, 11. Thomas Cappe de Fulbecke, 12. + Jona Wray de eadem, 13. Laurencius Barkston de Marston, [et] 14. Johannes Day de eadem—pro recusando 3 menses.
- 15 + Maria Burditt de Beckingham, 16. + Ricardus Burditt de eadem, [et] 17. + Johannes Green de eadem—pro 3 S[undays].

Page 220.

- 18 Willelmus Rolliston de Stragglethorpe, 19. + Johannes Whalley de Normanton, 20. Edwardus Andrew de Hougham, 21. — Thomas Seckers de eadem. 22. + Johannes Petchill de Carlton Scroope, (comparuit<sup>m</sup>), 23. + Randolph Pattison de Beckingham, 24. + Thomas Everitt de Sudbrooke, 25. Ricardus Colby de eadem, 26. Anna Bell de Willowby, 27. + Johannes Killingley de Willowby, 28. + Benjamin Roper de eadem, [et] 29. + Samuel Everitt de eadem—pro 3 S[undays].

#### FINES.

De Waltero Milner de Dogdike iis. vid.  
 De Johanne Fleare de Cranwell iis. vid.  
 De Thoma Garwell de Ewerby iis. vid.  
 De Willelmo Vicars de Evedon generoso iis. vid.  
 De Johanne Handley de Burton Pedwardine iis. vid.  
 De Ricardo Hubbert de Thorpe super montem vs.  
 De Thoma Vicars de Ledenham iis. vid.

#### EXITUS NULLI.

Page 221. RECOGNITIONES CAPTAE IN CURIA.

Davidus Fogarthy de Scawpwick generosus in xli. (d<sup>m</sup>).  
 Hugo Allen de eadem generosus tenetur domino Regi in xli. (d<sup>m</sup>).  
 Willelmus Allen de eadem generosus tenetur in xli. (d<sup>m</sup>).  
 Johannes Easton de Boultham in xli. (d<sup>m</sup>).  
 Phillippus Easton de eadem in xli. (d<sup>m</sup>).  
 Robertus Sherborne de South Kyne in xli. (placitavit non culpabilis. Mittimus &c.<sup>m</sup>).  
 Sub condicione quod placitabunt cuidam indictamento vel presentamento de quo presentati vel indictati existunt ad proximam Sessionem pacis et prosecutentur traverse cum effectu &c.

## FACTUM PER CURIAM.

Upon the Complaint of Edward Bee of Hough upon the Hill gentleman that whereas there were 3 severall constables summoned and returned for the said towne (and parish<sup>l</sup>) to serue upon the jurye at this Sessions, which is a great wronge & oppression to the said towne & parishe, Itt is now ordered by the Court that from henceforth there shall bee but only 2 constables summoned & returned to serue upon the jurye for the said towne & parishe & that the sherife and bayliffes take notice hereof & summon & returne noe more accordinglye (att theire perills<sup>e</sup>) as they will answer the contrary &c.

Page 222.

FOLKINGHAM. MICHAELMAS '79.

CAPIAS EASTER '79.

- 6 Thomam Wingate de Manthorp, 7. Johannem Newman senior de Uffington, 8. Johannem Newman junior de eadem, 9. Thomam Blades de eadem, 10. Willelmum Beaver de Deeping St Jacobi, 11. Anna [*sic*] Matthews de Somerby, 12. Elizabetham uxor Thome Middlebrooke de Spittlegate, 13. \* Robertum Arnold de Swayfeild generosum. 14. Johannem Gunthorp de Castle Bytham, 15. Radulphum Hare de eadem, \* Richardus Brackleby de Somerbye, Johannes Watson de eadem carpenter.

ALIAS CAPIAS. CHRISTMAS '79.

- 1 Elizabetham Clinck de Kirkby Underwood, 8. Jonathanum Rutkin de Manthorpe, 10. Willelmum Skeffington de Dyke, 32. Aliciam Glover de Elsthorpe. (mortua<sup>m</sup>).

PLURIES CAPIAS MICHAELMAS '73.

- 1 \* Johannem East de Somerby, 2. Widow Saby de Deeping St Jacobi. 3. \* Matthew Boyall de Markett Deeping.

Page 223.

- 7 Johannem Gilbert de Aslackby, 8. Aliciam uxorem eius, 10. Ellenam Parkinson de Westby widow, 11. Mariam Rimmington de eadem viduam, 12. Johannem Gunthorpe de Castle Bytham.

RECOGNITIONES IN CURIA.

- \* Henricum Grey de Stenflett in 40*li.* ad respondendum.

Henricum Phillips de Morton in 22*li.* pro bono gestu, (mortuus<sup>m</sup>).

Sir R[ichard] Cust.

- \* Nicholaus Ward de Deeping St Jacobi in x*li.* pro pace versus Ricardum Rice, (in sol'<sup>m</sup>).

- \* Robertus Oldgate de Baston in x*li.* pro bono gestu.

- \* Johannes Hodgkin de Bourne x*li.* pro pace versus Henricum Browne.

- \* Carolus Hodgkin de eadem in x*li.* pro pace versus every man. Henricus Browne de Bourne ad prosequendum.

Mr Goodhall.

- Anthony Goodhall de Aunby in *vli.* ad prosequendum Frisby (prosequendum<sup>m</sup>).  
Mr Hurst to haue 31s. out of the Marshalsey & his full charges &c.

Page 224 [blank].

Page 225. SLEAFORD. MICHAELMAS '79.  
CAPIAS. EASTER '79.

- 1 \* Willelmum Standish de Timberland generosum, 2. \* Jacobum Huggin de eadem. 18. \* Thomam Barnes de Sleaford Nova.

ALIAS CAPIAS CHRISTMAS '78.

- 1 Johannem Enderby de Durrington generosum &c.  
PLURIES CAPIAS MICHAELMAS '78.

- 3 Arthurum Langworth de Fulbecke &c.

RECOGNITIONES.

Thomas Watson de Ruskington in *xxli.* ad respondendum &c. (dd<sup>m</sup>).

Sir Thomas Hussey.

Robertus Sherborne de South Kyme yeoman to answer & bringe in his plea to the presentment against him for not comeinge to Church, & refusinge the oaths of alleagiance & supremacy &c., et pro bono portu &c. (feodum non solutum iis.<sup>m</sup>).

Page 226.

Sir William Yorke.

- \* James Foster of Leasingham pro pace versus Shore, (exoneratus<sup>m</sup>).  
\* Ricardus Parkes de Sleaford Nova pro pace versus Elizabetham Pearson.  
\* Robertus Burradale de eadem pro pace versus Elizabetham Brand.  
≡ Daudius Noell de Digby in *xli.* pro pace. (Debet 4s. 6d. dd<sup>m</sup>).  
\* Ricardus Brumpton de South Kyme pro pace versus Leon Watson.

Sir Christopher Nevile.

- \* Thomas Booth de Billingham in *xxli.* pro bono gestu. (pace<sup>l</sup>).  
— Johannes Petchill de Carlton Scrope pro bastardia, (committed<sup>m</sup>).

Elizabetha Glenne de Hawdingham to be sent by the constable and an order for charges &c.

Ordered a warrant of mittimus bee issued out per curiam to the constable of Carlton Scroope to convey John Petchill of Carlton Scroope to his ma<sup>ties</sup> gaole at the Castle of Lincolne for divers haynous misdemeanors & offences by him committed, and untill hee put in suertes for the peace & to answer the misdemeanors therein mentioned, by him comitted &c. (Made out per curiam according to the effect of these orders and directions <sup>m</sup>).

Ordered further per curiam that a warrant bee made out per curiam to levye the constables charges & expences in keepinge & attendinge of the said John Petchill many dayes & to demand itt of his tenants, & if they deny & refuse to pay itt, then to distreyn, & levie itt upon the goods in their grounds which is to bee allowed out of their rents. (Tenants names, Tho. Smyth, Dennes Metheringham, & John Rooke, the elder<sup>m</sup>).

*Page 227.*

LINCOLNE  
KESTEVEN  
FOLKINGHAM  
MICHAELMAS  
1679

GENERAL SESSION OF THE PEACE, HELD AT  
FOLKINGHAM, 6 OCTOBER 1679, BEFORE WILLIAM  
YORKE, KNIGHT, THOMAS HARRINGTON, LISTER  
TIGH, WILLIAM SAVILE, AND DANIEL WIGMORE,  
ESQUIRES.

INDICTAMENTA &c.

- 1 \* Isaac Quincey de Poynton generosus, [et] 2. \* Thomas Wright junior de eadem—pro negligendo officium ut supervisors regiarum viarum prout per presentamentum &c.
- 3 \* Willelmus Everitt de Humby Parva pro fensuris irreparatis &c.
- 4 \* Idem Willelmus Everitt pro includendo quendam clausum vocatum Home Close existentem communem eiusdem ville ab inhabitantibus ad graue nocumentum &c.
- 5 \* Willelmus Beaumont de Barrowby weaver pro consimili ut Quincey &c. Submitted. (Fine 5s. sol' vic<sup>l</sup>).
- 6 \* Thomas Dale de Harmethorpe pro negligendo officium suum ut constabularius in non ponendo vigiliis in eadem villa &c.
- 7 \* Johannes Levers de Spittlegate pro assessmente iis. insoluto constabulario. (Fine 3s. (4d.<sup>o</sup>)<sup>l</sup>).
- 8 \* Edwardus Parker de Stroxton communem parcum fregit et duos iuvenco ibidem detentos rescussit et ad largum posuit contra pacem &c.

*Page 228.*

- 9 \* Johannes Watson de Somerby pro harborando vagrantes &c.
- 10 \* Idem Johannes Watson pro non veniendo ad ecclesiam per spatium trium dierum dominicorum &c.
- 11 \* Georgius Dawson de Humby Parva pro manutenendo quendam focum periculosum inhabitantibus eiusdem ville ad graue nocumentum &c. (nusanc' removatur<sup>l</sup>).
- 12 \* Willelmus Jenkinson de Deeping St Jacobi pro constabularii assessmente.
- 13 Anna Middlebrooke de Spittlegate, 14. Maria Hunt de North Stoake, 15. Willelmus Sutton de Paunton Parva, [et] 16. Edwardus Tompkin de eadem—pro recusando 3 menses.
- 17 Johannes Thimbleby de Irnham generosus, 18. Thomas Ball de eadem, 19. Edwardus Smith de eadem, 20. Jacobus Deacon de eadem, 21. Thomas Walbancks de eadem, 22. Ricardus Clarke de Corby, 23. Ricardus Brookes de

- eadem, 24. Johannes Simpson de eadem, [et] 25. Edwardus Crunckhorne de eadem—pro consimili &c.
- 26 Johannes Gunthorp de Castle Bytham, 27. Maria Rimmington de Westby, [et] 28. Ellena Parkinson de eadem—3 sundayes.

Page 229.

#### ARRAINMENTA.

Willelmus Bennitt de Somerby super arrainmentum suum pro separalibus feloniis cognovit indictamenta et crematus fuit &c.

Robertus Frisby de Aunsby super arrainmentum suum similiter cognovit indictamentum &c. crematur &c.

#### EXITUS.

Johannes Dawkins de Markett Deeping xs.

Johannes Wignall de Baston xs.

Willelmus Everitt de West Deeping xs.

#### FINES.

Johannes Hodgkin de Bourne soluit vicecomiti xiiis. iiid.

Page 230.

SLEAFORD  
MICHAELMAS  
1679

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 7 OCTOBER 1679, BEFORE WILLIAM  
YORKE, KNIGHT, AND WILLIAM LISTER, ESQUIRE.

#### INDICTAMENTA.

- 1 Anna Tredway de Hough super Montem, 2. Juditha Simpson de eadem, 3. Johannes Gray de eadem (mortuus<sup>m</sup>), 4. — Johannes Richardson de eadem, 5. Anna Robson de Brandon, 6. \* Willelmus Rollison de Stragglethorpe, [et] 7. + Johannes Whalley de Normanton—3 menses.
- 8 + Maria Burdit de Beckingham, 9. + Ricardus Burditt de eadem, 10. + Elizabetha Hutchinson de eadem 11. + Elizabetha Pidd de eadem, 12. + Johannes Greene de eadem, 13. + Randolphus Pattison de eadem, 14. + Thomas Everitt de Sudbrooke, 15. + Ricardus Gunby de eadem, 16. + Edwardus Lound de eadem, 17. + Samuel Everitt de Willowby, [et] 18. + Benjamin Roper de eadem—3 dies dominicos &c.

Page 231.

- 19 + Johannes Killingley de eadem, 20. Johannes Day de Marston generosus, 21. Laurencius Barston de eadem, 22. Thomas Secker de Hougham, 23. Edwardus Andrew de eadem, [et] 24. Widow Booth de eadem—pro consimili &c.
- 25 Elizabetha King de Aswarby, 26. Moses Heyney de Heckington, 27. + Thomas Hooton de Hale Parva, 28. + Thomas Pryor de Hale Magna, 29. + Johannes Walcott de Helpringham, 30. Willelmus Pickworth de eadem (mortuus<sup>m</sup>) [et] 31. + Robertus Skerritt de eadem—pro consimili.

- 32 Franciscus<sup>1</sup> Howard de Donston, 33. Robertus Warriner de eadem, 34. Millizent<sup>1</sup> Preist de eadem, 35. Susanna Hawney de eadem, 36. Domina Elizabetha Widdrington de Blankney, 37. Marg. Pennington de eadem, 38. Sara Hixon de eadem, 39. Elizabetha Tayler de eadem, 40. Willelmus Woods de eadem, 41. Willelmus Allen de Scawpwicke generosus, 42. Willelmus Allen de eadem, [et] 43. Hugo Allen de eadem—recusantes 3 menses.

Page 232.

- 44 + Willelmus Bunby de Potter Hanworth, 45. + Edwardus Bunby de eadem, 46. + Robertus Stennitt de eadem, 47. + Johannes Bell de eadem, 48. Johannes Huggard de eadem, 49. Johannes Lamb de eadem, 50. Franciscus Paske de Washingbrough, 51. Robertus Jessup de Blankney, 52. Nicholaus Ashton de Scawpwick, [et] 53. Clementius Rossington de eadem—3 menses. (estreat if not appear<sup>m</sup>).
- 54 \* Editha Fawwell de Washingbrough pro assessmentto 30s. (comparuit, assessmentum solutum constabulario<sup>1</sup>).
- 55 \* Ricardus Hunt de Claypoole pro communi transgressione in agris de Claypoole ad graue dampnum ceterorum inhabitantium contra &c. (exoneratus<sup>1</sup>).

FINES.

Thoma Booth de Billingham fine *iiii*l. sol' vic'.

EXITUS.

Willelmus Headland de Nocton xs.

Page 233 [blank].

Page 234. FOLKINGHAM. CHRISTMAS '79.

RECOGNITIONES.

- ≡ Matheus Clarke de Markett Deeping (*xli*.<sup>1</sup>) ad respondendum.
- Johannes Holdsworth de eadem in *xxli*. ad respondendum. (estreat, *dd*<sup>m</sup>).
- \* Thomas Collett de eadem in *xxli*. ad respondendum.
- ≡ Johannes Spencer de eadem in *xxli*. ad respondendum. (Committed for a weekes time<sup>1</sup>).
- Josiah Sharpe ad prosequendum.

Page 235. SLEAFORD. CHRISTMAS '79.

- Robertus Shelborne de South Kyme in *xxli*. pro pace. (*dd*<sup>m</sup>).
- \* Ricardus Squire de Metherringham in *xxli*. pro pace.
- \* Franciscus Dawbney de Bassingham in *xxli*. pro pace.
- Mr Petchill discharged, order to be sent to the Constable of Hawdingham.
- Ordered that Jane Blaby be discharged of her imprisonment & sent to her service in Hale from Oresby & to be settled with her master Tingle.

<sup>1</sup> *rectius* Francesa.

Page 236.

LINCOLNE  
KESTEVEN  
FOLKINGHAM  
CHRISTMAS  
1679

GENERAL SESSION OF THE PEACE, HELD AT  
FOLKINGHAM, 12 JANUARY 1679-80, BEFORE  
THOMAS HARRINGTON, LISTER TIGH, THOMAS  
FARMER, WILLIAM SAVILE AND WILLIAM  
GOODHALL, ESQUIRES.

INDICTAMENTA &c.

- 1 \* Willelmus Glenne de Carlby weaver fensuras suas juxta terras  
cujusdam Thomæ Templeman reparare neglexit ad graue  
nocumentum &c.
- 2 Jacobus Hardwick de Bourne pro insultu et affraia in & super  
quendam Ricardum Richardson contra pacem &c.
- 3 Maria Hunt de North Stoake vidua, [et] 4. Willelmus Sutton  
de Paunton Parva—pro non reparando ad ecclesiam suam  
parochialem per spacium trium mensium contra formam  
statuti &c.
- 5 \* Johannes Watson de Somerby pro consimili 3 diebus dominicis  
&c.
- 6 \* Idem John Watson pro non recipiendo sacramentum caenæ  
Domini per spatium unius anni contra formam &c.
- 7 Robertus Coggles de Wilsford pro non reparando ad ecclesiam  
parochialem per spatium trium dierum dominicorum contra  
&c.

Page 237.

- 8 \* Willelmus Harrison junior de Bourne pro detinendo vadia  
cuiusdam Georgii Bowis ad valenciam 1s.
- 9 \* Johannes Carrington de Swayton husbandman, 10. \*  
Willelmus Carrington de eadem victualler, 11. \* Maria  
Carrington uxor eius, [et] 12. \* Debora Robson de eadem  
spinster—quia ipsi xxvi die Nouembris ult' pret' vi et  
armis ac riotose routose et illicite apud Swayton predictam  
in et super quendam Johannem Judson in pace Dei ac  
Domini Regis ad tunc et ibidem existentem insultum et  
affraiam fecerunt contra pacem ac contra formam statuti &c.
- 13 Ricardus Clarke de Corby, 14. Ricardus Brookes de eadem,  
15. Johannes Simpson de eadem, 16. Johannes Thimbleby  
de Irnham, 17. Johannes Drewry de eadem, 18. Edwardus  
Simpson de eadem, 19. Jacobus Deacon de eadem, 20.  
Elizabetha Arnold de Hawthorp, [et] 21. Thomas Walbancks  
de eadem—pro consimili ut Willelmus Sutton &c.

FINES.

De Thoma Dale de Harmthorpe pro quodam fine soluto vice-  
comiti vs.

De Edwardo Parker de Stroxton pro consimili sol' vic' iiis. 4d.

Page 238.

EXITUS.

De Josia Smith de Pickworth quia ipse non comparuit super  
grandem juratam sicut summonitus fuit Ideo &c. xs.

De Willelmo Clarke de Spittlegate pro consimili defaultu  
super constabulariorum juratam xs.

Page 239.

LINCOLN  
KESTEVEN  
SLEAFORD  
CHRISTMAS

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 13 JANUARY 1679-80, BEFORE  
WILLIAM YORK, KNIGHT, AND WILLIAM LISTER,  
ESQUIRE.

1679

INDICTAMENTA.

- 1 \* Jacobus Cappe de Caythorpe quia ipse cum quodam tormento onerato pulvere sulphureo et glandinibus plumbeis quendam leporem sagittavit et necuit contra formam (concord<sup>1</sup>).
- 2 Robertus Shelbourne de South Kyme, 3. Moyses Heyney de Heckington, 4. Thomas Pryor de eadem, 5. Willelmus Pickworth de Helpringam (mortuus<sup>m</sup>), 6. + Johannes Walcott de eadem, 7. + Robertus Skerritt de eadem—pro non veniendo ad ecclesias suas parochiales per spatium trium dierum dominicorum contra &c.
- 8 Judah Sympson de Hough super Montem, [et] 9. Anna Robston de Brandon—pro recusando, 3 menses, et cæteri ut in Sleaford Michaelmas 1679.
- 10 \* Benjamin Ely de South Kyme, [et] 11. \* Johannes Cabourn de Billingay—super informacionem pro ingrossando cererem super terram crescentem &c. (4s. in part<sup>m</sup>).

Page 240.

- 12 Willelmus Thacker de Dirrington pro ingrossando catalla contra formam statuti &c.

FINES.

De Francisco Daubney de Bassingham pro quodam fine soluto vicecomiti xs.

EXITUS.

De Willelmo Browne de Claypoole quia ipse non comparuit super constabulariorum juratam xs.

- \* William Johnson de Claypoole pro transgressione super terram crescentem.
  - \* Georgius Robinson de eadem pro consimili transgressione super terras.
  - \* Richardus Clayton de eadem pro incraochmento [*sic*] super communem viam cum sepe.
- Robertus Greene de eadem pro communi nocumento iuxta communem viam &c.

Page 241. BOURNE SESSIONS. APRILL 19TH, 1680.

Recognizances of severall persons bound ouer to this Sessions, as followes—

William Hyde Esq.

- \* Willelmus Bull de West Deepinge shepherd ad respondendum for an assault and battery upon Robert Luffin, of the same, servant of Rebecca Curtis, (ijs.<sup>m</sup>).
- \* Richard Pell of Bourne yeoman ad respondendum pro pace versus Henry Symonds of Thurlbye, (ijs.<sup>m</sup>).

Mary Nicholson de Dyke vidua ad comparandum et respondendum pro pace versus Ester Skinnington, (ijs. d<sup>m</sup>).

Henry Symonds de Thurlbye ad comparandum et respondendum pro pace versus Georgium Barnett of Bourne, (ijs. d<sup>m</sup>).

Mr Farmer.

\* Willelmus Allen de Uffington ad comparandum et respondendum pro pace versus Thomam Balye &c. (ijs.<sup>m</sup>).

\* Robertus Lowe de Witham super Montem ad comparandum et respondendum for a forceable entrye, and deteyner, et pro bono portu. (solutum<sup>m</sup>).

\* Matheus Elson de Witham super Montem ad comparandum et respondendum for a forceable entrye, & deteyner, et pro bono portu. (sol<sup>m</sup>).

\* Franciscus Balye de Witham super Montem, ad comparandum et respondendum for a forceable entry & deteyner et pro bono portu, (ijs.<sup>m</sup>).

Mr Tyghe.

(William<sup>1</sup>) Walton de Witham super Montem (in 40*li*.<sup>1</sup>) ad comparandum, et respondendum et pro bono gestu. (estreat & new seuertys<sup>1</sup>, ijs.<sup>m</sup>), (tenta de novo<sup>1</sup>).

Johannes Ansell de eadem *xxli*. Nicholaus Berry de eadem *xxli*. pro bono gestu proxima Sessione.

Page 242.

Mr Savile.

\* Thomas Taverner de Horblin *xxli*. pro bastardia.

— Sarah Skinner de eadem ad respondendum. (prosequendum<sup>m</sup>).

Mr Wildbore submitted fine vis. viii*d*.

Page 243.

SLEAFORD. EASTER 1680.

Sir W. Y[orke].

— William Thompson ad prosequendum Dawbney. (estreat d<sup>m</sup>).

— John Cooke et uxor ad prosequendum Dawbney. (prosequendum<sup>m</sup>).

Josephus Dawbney de Sleaford Nova ad respondendum. (deb. 3s. 10*d*.<sup>m</sup>).

\* Deborah Robson de Swayton in *xxli*. pro bono gestu. (gratis<sup>m</sup>).

\* Mary Carrington de eadem in *xxli*. pro consimili versus Judson.

\* William Carrington de eadem in *xxli*. pro consimili.

\* Johannes Carrington de eadem in *xxli*. pro consimili. (4s.<sup>m</sup>).

Johannes Cocke de Ruskington in *xxli*. ad respondendum.

Josephus Dawbney ad prosequendum Cocke. (ddd, estreat, d<sup>m</sup>).

Ely Milner ad prosequendum versus Johannem Cocke. (estreat, d<sup>m</sup>).

\* Richardus Jackson de Heckinton in *xli*. pro bono gestu versus Berridge.

\* Robertus Deane de South Kyme in *xli*. pro bono gestu (pace<sup>1</sup>) (comparuit<sup>m</sup>).

- \* Johannes Stephens de Sleaford Nova pro pace versus Fancourt. (exoneratus<sup>m</sup>).

Robertus Sutton ad prosequendum Stennitt.

Johannes Spurr de Ruskington ad [sic].

- \* Johannes Toms de North Rawsby pro pace versus Bell.

Mr Lister.

- \* Willelmus Woodliffe de Donston pro bono gestu versus Shore.

Sir F. Fane.

- \* Cornelius Binckes de Ancaster in xli. ad respondendum.

Miles Baker ad prosequendum.

Page 244.

LINCOLNE

KESTEVEN

BOURNE

(MIDSUMMER<sup>c</sup>)

(EASTER<sup>i</sup>)

1680

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, 19 APRIL 1680, BEFORE RICHARD  
CUST, BART, LISTER TIGH, WILLIAM SAVILE,  
THOMAS FARMER, AND DANIEL WIGMORE,  
ESQUIRES.

# INDICTAMENTA &C.

- 1 Johannes Thimbleby de Irnham generosus, 2. Edwardus Sympton de eadem, 3. Thomas Walbancks de Hawthorpe, 4. Jacobus Walbancks de eadem, 5. Maria Beetson de Bulby widow, 6. Katharina Browne de eadem widow, 7. Katharina Clarke de eadem, 8. Johannes Simpson de Corby, 9. Ricardus Brookes de eadem, 10. Jerome Bertie de Lound armiger, 11. Francesca Cape de eadem widow, [et] 12. \* Willelmus Sutton de Paunton Parva, (4s. in part<sup>m</sup>)—quia . . . non accesserunt . . . ad ecclesias suas parochiales ad aliquod tempus infra tres menses . . .
- 13 Maria Hunt de North Stoake widow, 14. Ellena Parkinson de Westby widow, 15. Maria Parkinson de eadem widow, 16. Ricardus Parkinson de eadem, [et] 17. Maria Rimmington de eadem—pro non reparando ad ecclesias suas parochiales per spatium trium dierum dominicorum contra &c.

Page 245.

- 18 Jacobus Dally de Markett Deeping victualler quia primo die Aprilis ult' pret' et diversis aliis diebus et vicibus tam antea quam postea apud Markett Deeping predictam existens communis tabernae custos cervisiam suam per insigillatas et falsas mensuras vendidit et utteravit contra formam statuti &c.
- 19 Johannes Noble de Stamford, 20. Johannes Basse de eadem, [et] 21. Johannes Cheyney de eadem—pro ingressu manuforti et detencione &c. prout per indictamentum versus Matheum Elson &c.
- 22 Johannes Wildbore de Glinton in comitatu Northampton, 23. Ricardus Stringer de Barnack in comitatu predicto, 24. Thomas Baker de Deeping St Jacobi, [et] 25. Josephus Woods de Manthorpe—pro illicite riotose &c. capiendi [et]

effugando equos vaccas & juvencos &c. prout per indictamentum versus Elson et alios &c.

## ARRAINMENTA.

Thomas Norton de Witham super Montem super arrainmentum suum placitavit non culpabilis et posuit se. Juratores dicunt quod non culpabilis nec fugam fecit. Ideo exoneratus &c.

## RECOGNITIONES.

Matheus Elson de Witham tenetur domino Regi in *xxli.* (*d<sup>m</sup>*). Robertus Cope de eadem *xli.* [et] Willelmus Walton de eadem in *xli.*—pro comparando ad proximam Sessionem et quod interim se bene gerit &c.

Robertus Bull de Witham super Montem in *xxli.*

Franciscus Wire de Kirkby *xli.* [et] Robertus Loe de Witham predicta *xli.*—pro consimili.

Page 246. DEFAULTA SUPER RECOGNITIONES &c.

Johannes Basse de Stamford labourer *xli.* Robertus Redsmith de Stamford butcher *xli.* Johannes Noble de Stamford *xli.* Johannes Cheyney de Stamford *xli.*

Jacobus Roads de Stamford predicta, [et] Jacobus Dalby de eadem—manuaptores pro omnibus.

## RECOGNITIONES CAPTAE IN CURIA.

\* Robertus Cope de Witham super Montem tenetur domino Regi in *xxli.* Johannes Ansell et Nicholaus Berry manuaptores in *xli.* uterque pro comparando Roberti Cope &c.

Willelmus Walton de Witham predicta in *xxli.* (*supprest<sup>cl</sup>*).

Iidem manuaptores &c. pro consimili.

## DEFAULTUM.

Maria Nicholson de Dike widow, [et] Henricum [*sic*] Symonds de Thurlby—quia non comparuit [*sic*] &c. Ideo &c.

## FINES.

Robertus Wildbore de Glenton generosus fine vis. *viii<sup>d</sup>*.

## EXITUS NULLI.

Page 247.

SLEAFORD  
EASTER  
1680

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 20 APRIL 1680, BEFORE FRANCIS  
FANE, KNIGHT OF THE BATH, WILLIAM YORKE,  
KNIGHT, WILLIAM LISTER, ESQUIRE.

## INDICTAMENTA &amp;c.

- 1 Anna Goodborne de Long Bennington quia die capcionis &c. apud Bennington predictam fensuras suas iuxta terras Ellene Patrick reparare neglexit ad graue nocumentum &c. (*d<sup>m</sup>*).
- 2 Henricus Heron miles Balnei, 10s. 6*d.*, 3. Robertus Ingge de Heckington, 8s. 11*d.*, 4. Widow Groome de eadem, [et] 5. Thomas Bullard de eadem, 12s. 10*d.*, 6. Thomas

Maddison de eadem, 5s. 4*l.*, [et] 7. Widow Heyney de eadem, 5s. 9*l.*—quia ipsi duodecimo die Aprilis ult' pret' apud Heckington predictam separales summas predictas super eos legitime taxatas et assessatas pro relevacione militum mutilatorum et aliis Domini Regis necessariis servitiis in onere quorundam Willelmi Medley et Roberti Coy solvere recusarunt &c.

- 8 Elizabetha domina Witherington de Blankney, 9. Elizabetha Cole de eadem, 10. Margera Pennington de eadem, 11. Jacobus Boulton de eadem, 12. Willelmus Woods de eadem, 13. Anna Hixon de eadem, 14. Sara Hixon de eadem, [et] 15. Rebecca Wilson de eadem—quia . . . non accesserunt ad ecclesiam parochialem de Blanckney per spatium trium mensium . . .

*Page 248.*

- 16 Francesca Howard de Donston widow, 17. Robertus Warriner de eadem, 18. Susanna Hawney de eadem, 19. Robertus Shelborn de South Kyme, 20. Elizabetha King de Aswarby, 21. Davidus Fogarthy de Scawpwick generosus, 22. Willelmus Allen de eadem generosus, [et] 23. Hugo Allen de eadem generosus—pro consimili.
- 24 Phillippus Easton de Boultham, 25. Johannes Easton de eadem, 26. Johannes Ward de Carlton Moreland, 27. Juditha Pridgeon de eadem, 28. Maria Woods de eadem, (mortuam), 29. Johannes Tayler de Bassingham, 30. + Anna Dawson de eadem, 31. Thomas Browne de eadem, 32. Timotheus Browne de eadem, 33. + Henricus Symondson de North Hykam, 34. + Ricardus Pridgeon de eadem, 35. + Thomas Walker de Thorpe super Montem, 36. Johannes Hales de Haddington, 37. Pennel Hales de eadem, 38. + Vincentius Frotheringham de Welborne, mortuus, 39. + Danielus Brittain de eadem—pro non reparando ad ecclesias parochiales ad aliquod tempus infra tres dies dominicos nunc ult' pret' &c.

*Page 249.*

#### ARRAINMENTA.

Cornelius Bincks de Ancaster, [et] Johannes Cranwell de Ruskington—super arrainmentum suum placitaverunt non culpabiles et posuerunt se. Juratores dicunt quod culpabiles. Ideo flagellatur [*sic*] et exonerantur &c.

Elizabetha Brand similiter placitavit non culpabilis et posuit se. Juratores dicunt quod culpabilis, flagellatur.

Willelmus Stennitt de Sleaford Nova, [et] Johannes Cocke de Ruskington—super arrainmenta sua (placitaverunt) cognoverunt indictamenta et flagellantur &c.

#### FINES NULLI.

#### EXITUS.

De Johanne Mason de Kirkby Greene xs.

De Roberto Chevin de Wellingore xs. (. . . m).

Page 250. BOURNE. MIDSUMMER 1680.

Sir R. C[ust].

- \* Willelmus Gregg de Langtofte in *xxli.* pro bono gestu. (d<sup>m</sup>).
- \* Elizabetha uxor Danielis Abbott de Hackonby ad respondendum.
- \* Anna uxor Michaelis Roberts de eadem pro (bono gestu<sup>o</sup>) (pace versus Johannem Redding<sup>t</sup>).
- \* Johannes Redding de Hackonby in *xxli.* pro bono gestu. (sol' cler<sup>m</sup>).

Lister Tigh armiger.

- Alicia Mercer de Rippingale in *xli.* pro pace versus Jacobum Gray (d<sup>m</sup>) [et]—Maria Mercer de eadem in *xli.* pro consimili (d<sup>m</sup>) (received 2s. 6d.<sup>m</sup>).
- \* Willelmus Bradford de Gunby in *xxli.* pro bono gestu.

William Hyde esquire.

- \* Humphredus Fletcher de Bourne in *xli.* pro pace versus Hardwick.
- \* Willelmus Bull de eadem in *xli.* pro pace versus Edmunds (d<sup>m</sup>).
- Jacobus Hardwick de eadem pro pace versus eundem (d<sup>m</sup>).
- Georgius Thimbleby de Bourne in *xli.* versus Hardwick (d<sup>m</sup>).
- Thomas Andrews de Bourne in *xli.* pro pace versus Edmunds (d<sup>m</sup>).

[The three preceding entries are marked with a cross<sup>m</sup>].

Mr Savile.

Johannes Mitchell de Folkingham, [et] Johannes Quincey de eadem—in *v li.* a peece to preferre an indictment and prosecute against Anne Holden & Sarah Hutton for stealinge a fatt suckinge pigge, of the goods of the said Johannes Mitchell &c. (ad prosequendum<sup>m</sup>).

Page 251.

Mr Savill.

Daniell Duglas of Folkingham, & Thomas Thompson de Horblyn—to prefer a bill & prosecute against Anne Dover and Dorothy Carrel for linnen clothes of the said Daniell Duglas (ad prosequendum<sup>m</sup>).

- Anne Dover servant to John Redshaw of Folkingham ad respondendum for stealinge of linnen clothes of Daniell Duglas. (ijs.<sup>m</sup>).
- \* Willelmus Foxe de Dusb' [sic] ad respondendum et pro bono gestu. (ijs.<sup>m</sup>).
- \* Leonardus Jenkinson de Dunsbye ad respondendum et pro bono gestu. (ijs.<sup>m</sup>).
- \* Samuell Tayler de Dunsbye ad respondendum et pro bono gestu. (ijs.<sup>m</sup>).
- ≡ John Gray de Rippinghale in *xxli.* pro pace.

Page 252 [blank].

*Page 253.*

Sir William Yorke.

Willelmus Fitz-Zachary de Fulbecke ad (respondendum<sup>c</sup>)  
prosequendum pro (felonia<sup>c</sup>), 3 hens of Sir (Henry<sup>c</sup>)  
(Francis<sup>l</sup>) Fanes. (exoneratus, prosequendum<sup>m</sup>).

- \* Johannes Burt de Fulbecke ad respondendum pro felonia  
predicta.
- \* Thomas Burt de Fulbecke ad respondendum pro felonia  
predicta.
- \* Nathaniell Sharpe de Aswarby carpenter ad comparendum et  
respondendum et pro pace &c.
- \* Anthonius Berridge de Heckington in *xli.* ad respondendum  
pro pace.

Mr William Lister.

- Jacobus Chevyn de Boothby yeoman to preferre a bill &  
prosecute against Rice Cauldron for felony of 6 sheepe &c.  
(ad prosequendum, exoneratus<sup>m</sup>).
- \* Rice Cauldron de Blanckney, ad comparendum, et respon-  
dendum pro felonia of 6 sheepe.
- Maria Bell de Litle Hale, to preferre a bill against Mary  
Picker of South Kyme for a paragon cote, a cloth coate,  
fue laced pinner, 4 laced quoifes, & severall other clothes  
of Mary Bells (ad prosequendum<sup>m</sup>).
- ≡ Maria Picker de South Kyme, ad respondendum pro felonia  
predicta. (received 5s.<sup>m</sup>).
- Jane Clayton de Dunston, to preferre a bill & prosecute  
against William Woodcliffe of Dunston for beatinge &  
attemptinge to haue the use of her bodye &c.  
(prosequendum<sup>m</sup>).
- \* Willelmus Woodcliffe de Dunston, miller, ad respondendum  
pro offensa predicta, et pro pace &c.
- Raph Brewster de Nocton, yeoman, ad preferendum billam  
et prosequendum versus Thomam Dynnis de eadem for  
6 tame ducks &c. (exoneratus<sup>m</sup>).
- \* Thomas Dynnis de Nocton, ad respondendum pro felonia  
predicta.
- Elizabetha Sugar de Potterhanworth ad prosequendum versus  
Rydatt. (prosequendum<sup>m</sup>).
- \* Patrick Rydatt de Potter Hanworth in *xxli.* pro pace versus  
Sugar.
- \* Anna Rydatt uxor eius pro consimili &c.
- \* Jana Clayton de Donston in *xxli.* pro pace versus Woodvill.

*Page 254.*

Sir Francis Fane.

Thomas Alcock de Doddington in *xli.* ad (respondendum<sup>c</sup>)  
(prosequendum<sup>l</sup>). (prosequendum<sup>m</sup>).

- ≡ Thomas Smith de eadem pro consimili in *xli.* (debet 4s.<sup>m</sup>).
- William Waring fine 5s. [et] William Holt fine 5s.

Willelmus Woodliff de Dunston in *xli.* [et] Edwardus Rawby de eadem blacksmith *xli.*—ad prosequendum cum effectu &c. (placitavit non culpabilis<sup>1</sup>) Postea submitted fine 20s.

Page 255 [blank].

Page 256.

LINCOLN	GENERAL SESSION OF THE PEACE, HELD AT
KESTEVEN	BOURNE, 12 JULY 1680, BEFORE RICHARD
BOURNE	CUST, BART, THOMAS HARRINGTON, LISTER
MIDSUMMER	TIGH, THOMAS FARMER AND WILLIAM SAVILE,
1680	ESQUIRES.

INDICTAMENTA &c.

- 1 \* Johannes Oswyn de Poynton husbandman quia ipse existens supervisor pauperum eiusdem villae primo die Aprilis ult' pret' computum suum pauperum inhabitantibus reddere neglexit ad graue dampnum (admittitur ad le trauerse tenetur in *10*li.** ad prosequendum in effectu placitavit non culpabilis<sup>1</sup>) &c. ac contra formam &c.
- 2 \* Idem Johannes Oswyn de Poynton pro defraudando quendam Willelmum Man unum pauperum eiusdem villae de summa *18*l.** pro vnus mensis collectione &c.
- 3 \* Idem Johannes pro consimili 2s. cuiusdam Willelmi Parnham.
- 4 Alicia Mercer de Rippingale vidua, [et] 5. Maria Mercer de eadem spinster—pro insultu et affraia super quendam Johannem Gray contra pacem &c.
- 6 \* Johannes Wallet de Morton generosus, & 7. \* Matheus Elsey de Manthorpe—quia *13<sup>o</sup>* die Junii ult' pret' apud Manthorpe predictam communem carcerem pecuarium ibidem fregerunt et intraverunt et unum equum ibidem captum et legitime detentum pro dampno faciendo &c. (Fine remitted<sup>1</sup>).
- 8 Thomas Booth de Morton shooe maker quia primo die Julii ult' pret' vigilias suas nocturnas agere neglexit &c.

Page 257.

- 9 \* Johannes Harby de Billingsborow [et] 10. \* Thomas Tookey de Dowsby—quia die capcionis hujus inquisitionis apud Bourne Sessionem a sociis suis juratoribus discederunt tempore veredictum perficiendi in contemptu domini Regis &c.
- 11 \* Willelmus Barker de Uffington generosus quia die capcionis hujus inquisitionis apud Uffington predictam quatuor solidos et sex denarios assessmentum constabulario eiusdem ville solvere recusavit &c. contra formam &c. (sess. sol<sup>1</sup>).
- 12 Jerome Bertie de Lound armiger, 13. Francesca Cape de eadem vidua, 14. Johannes Thimbleby de Irnham generosus, 15. Jacobus Deacon de eadem, 16. Thomas Ingelow de eadem, 17. Anna Somercoates de eadem, 18. Johannes Broxholme de eadem, 19. Elizabetha Arnold de Hawthorpe, 20. Thomas Walbancks de eadem, 21. Jacobus Walbancks de eadem, 22. Katherina Clarke

de Bulby, 23. Johannes Howlett de eadem, 23 [*sic*]. Johannes Gunthorp de Castle Bytham, 24. Robertus Coggles de Wilsthorp (mortuus<sup>m</sup>), [et] 25. Willelmus Sutton de Paunton parva—ut obstinati Rome religionis sectatores quilibet pro non reparando ad ecclesias parochiales per tres menses contra formam statuti.

## EXITUS.

De Roberto Northen de Halliwell quia non comparuit super quandam inquisitionem inter dominum Regem et Johannem Julian prisonarium ad barram sicut summonitus fuit Ideo &c. vis. vii<sup>id</sup>.

Page 258.

## FINES.

De Bryano Baker de South Witham pro quodam fine super eum posito pro quodam contemptu &c. xxs.

De Anna Roberts de Hackonby pro consimili sol' vic' xii<sup>id</sup>.

De Elizabetha Abbott de eadem pro consimili xii<sup>id</sup>.

## ARRAINMENTA.

Johannes Julian de Careby super arrainmentum placitavit non culpabilis. Juratores dicunt quod est culpabilis ad valentiam 11<sup>id</sup>. flagellatur.

Anna Dover de Folkingham, [et] Dorothea Carret de eadem—similiter.

## DEFAULTA SUPER RECOGNITIONES.

per ordinem Willelmi Hyde armiger.

- \* Willelmus Gregge de Langtoft, Alicia Mercer de Rippingale, Maria Mercer de eadem, Jacobus Hardwick de Bourne, Georgius Thimbleby de eadem, [et] Thomas Andrew de eadem—[*blank*].

Page 259.

SLEAFORD  
MIDSUMMER  
1680

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 13 JULY 1680, BEFORE ROBERT  
CARR, KNIGHT AND BARONET, FRANCIS FANE,  
KNIGHT OF THE BATH, WILLIAM YORKE, KNIGHT,  
WILLIAM LISTER, ESQUIRE.

## INDICTAMENTA &amp;C.

- 1 Rogerus Scrimshaw de Longa Bennington quia die captionis hujus inquisitionis apud Bennington predictam fensuras suas iuxta communem Regiam viam in magno decasu remanere permisit, ad graue nocumentum ligoorum &c.
- 2 — Thomas Bullard de Heckington, [et] 3. — Thomas Maddison de eadem—quia die captionis huius huius [*sic*] inquisitionis apud Heckington existentes electi supervisores Regiarum viarum ibidem officium suum neglexerunt in non reparando communes Regias vias in contemptu &c. ac contra formam statuti &c.
- 4 \* Willelmus Andrew de Hough super Montem butcher quia ipse in tribus diebus legitime appunctis pro reparacione

Regiarum viarum in [*word omitted*] cum laborario defaultum fecit contra formam statuti.

- 5 — Anna Heyney de Heckington, 6. — Henricus Shelborne de South Kyme, 7. — Robertus Shelborne de eadem, [et] 8. — Willelmus Askew de Kelbye—quia . . . non reparaverunt ad ecclesias suas parochiales . . . infra tres menses. . . .

*Page 260.*

- 9 Margareta Hanson de Boultham widow (mort<sup>m</sup>), 10. Phillippus Easton de eadem, [et] 11. Johannes Easton de eadem—pro consimili.
- 12 \* Thomas Rands de Awborne generosus, (a warrant to levy fine and fees<sup>l</sup>), 13. + Thomas Walker de Thorpe super Montem, 14. + Alicia Smyth de eadem widow, 15. + Henricus Symonson de North Hykam, 16. + Ricardus Pridgeon de eadem, 17. + Willelmus Pridgeon de eadem, 18. + Georgius Good de Navenby, 19. \* Willelmus Procter de North Scarle, 20. \* Walter Cowdell de eadem, 21. + Anna Cowdell de eadem, 22. \* Willelmus Coddington de eadem, 23. + Thomas Crayle de eadem, 24. Rogerus Stamper de eadem, (mortuus<sup>m</sup>), 25. \* Johannes Colt de eadem, 26. Widow Willis de eadem, 27. Thomas Browne de Skillington, 28. Isabella Houlton de eadem, 29. Ricardus Cooke de Skellingthorpe, 30. Johannes Barrows de eadem, 31. Elizabeth Badge de eadem, 32. + Joanna Chamberlaine de eadem, 33. Willelmus Rawden de Whisby, 34. Johannes Onyon de eadem, 35. Georgius Pacey de Harnston, [et] 36. + Thomas Archer de eadem—quia . . . non accesserunt ad ecclesias parochiales per spacium 3 dierum dominicorum &c.

*Page 261.*

- 37 Johannes Hales de Haddington, 38. Isabella Hudson de Bassingham, 39. + Anna Dawson de Bassingham, 40. + Faith Sturgis de Eagle, 41. + Elizabetha Sturgis de eadem, [et] 42. + Edwardus Sneath de Brant Broughton —[*blank*] (? *ut supra*).

ARRAINMENTA.

Thomas Dennis de Nocton, Thomas Smith de Doddington, [et] Ricardus Cauldron de Blanckney—super arrainmenta sua placitaverunt non culpabiles et posuerunt se. Juratores dicunt quod sunt culpabiles &c.

Thomas Dennis flagellatur, Thomas Smith flagellatur, [et] Ricardus Cauldron crematur—exonerantur.

Johannes Burt de Fulbecke, [et] Thomas Burt de eadem—super arrainmenta sua cognoverunt indictamenta et flagellantur &c.

EXITUS NULLI.

Page 262.

FINES.

De Maria Picker de South Kyne sol' vic' xiiid.

De Willelmo Woodliffe de Donston sol' vic' xxs.

Page 263. Folkingham Session. 4th October 1680.

\* Thomas Reeler de Kirkby in *xli*. pro pace.

Page 264.

\* Willelmus Mabourne de Witham super Montem in [blank].

Page 265. RECOGNITIONES APUD SLEAFORD 1680.

MICHAELMAS.

Sir W[illiam] Yorke.

\* Robert Tooley de Dogdike in *xxli*. pro pace versus Susannam Hardy.

\* Thomas Halton junior de Rowston in *40li*. ad respondendum.

\* Nicholaus Kempe de Dirrington in *40li*. pro consimili.

\* Thomas Rowen de Sleaford Nova in *40li*. pro consimili.

Thomas Halton armiger ad prosequendum Halton et ceteros. (exoneratus<sup>m</sup>).

Willelmus Carrington de Swayton in *xli*. ad respondendum pro bono gestu. (dd<sup>m</sup>).

\* Georgius Sharp de Sleaford Nova in *40li*. pro bono gestu.

\* Elizabetha uxor eiusdem Georgii Sharpe pro consimili.

— Ricardus Spencer de eadem in *40li*. pro bono gestu. (estreat d<sup>m</sup>).

— Francesca uxor eius pro consimili. (estreat d<sup>m</sup>). (Ricardus Parks & Robertus Parks manuctores<sup>l</sup>).

\* Ricardus Parkes de Sleaford Nova in *40li*. pro bono gestu.

\* Johannes Jackson de Anwicke in *40li*. ad respondendum pro bastardia.

William Lister esquire.

\* Thomas Barnes de New Sleaford in *xxli*. pro pace.

Sir W[illiam] Yorke.

\* Edwardus Browne de Garwicke in *xxli*. pro pace versus Michaellem Stennit. (tentum de novo per Michaellem Stennitt de Ewerby et Robertum Hastings de eadem in *xli*.<sup>l</sup>).

Sir Thomas Hussey.

— Alicia Cox de Eagle in *xli*. pro pace versus Colton. (Debet 4s.<sup>m</sup>)

\* Mary Cox de eadem in *xli*. pro pace versus Colton. (Debet 2s.<sup>m</sup>)

Mr Tigh.

\* Carolus Brandon de Beenington Longa in *xli*. ad respondendum.

Page 266.

LINCOLNE

KESTEVEN

FOLKINGHAM

MICHAELMAS

1680

GENERAL SESSION OF THE PEACE, HELD AT

FOLKINGHAM, 4 OCTOBER 1680, BEFORE

WILLIAM HYDE, LISTER TIGH, AND WILLIAM

SAVILE, ESQUIRES.

INDICTAMENTA &C.

1 Edwardus Harwood de Morton, 2. Willelmus Booth de eadem, [et] 3. Thomas Rivelin de eadem—quia in omnibus sex

diebus legitime appunctis pro reparacione Regiarum viarum in Morton predicta cum laborariis suis defaultum fecerunt contra &c.

- 4 Willelmus Jackson de Bulby, [et] 5. Johannes Lewin de eadem—quia xxi die Augusti ult' pret' apud Kirkby Underwood super se assumpserunt laborare cum quodam Willelmo White ad succidenda gramina et predictum Willelmum White totaliter deciperunt et opus predictum illicite relinquerunt contra &c.
- 6 Edwardus Batcheler de Aslackby generosus pro detinendo vadia cujusdam Katherine Ball ad valenciam 6*li*.
- 7 \* Robertus Clipsham de Billingborow clericus pro detinendo vadia cujusdam Marie Jervis ad valenciam 25*s*. (Cert' All: noe indictament<sup>1</sup>—*This refers to items 6 and 7*).
- 8 Johannes Thimblebleby [*sic*] de Irnham generosus, 9. Jacobus Deacon de eadem, 10. Johannes Broxholme de eadem, 11. Gratia Dent de eadem widow, 12. Maria Chester de eadem widow, [et] 13. Thomas Walbancks de Hawthorpe—quia . . . non accesserunt ad ecclesiam suam parochialem . . . infra tres menses . . . sed obstinate ut Romanae religionis sectatores abstinerunt . . .

Page 267.

- 14 Samuel Key de Irnham, 15. Edwardus Simpson de eadem, 16. Ricardus Brookes de Corby, [et] 17. Johannes Sympson de eadem—pro consimili &c.
  - 18 \* Walter Foster de Braceborow, 19. \* Nicholaus Templeman de eadem, [et] 20. \* Willelmus Osborne de eadem generosus—pro vadiis Mathei Holderness 46*s*. 8*d*. mole catching.
- + William Glen de Carlby.

#### FINES.

De Maria Edmundson de Markett Deeping xxs. sol' vic'.

De Willelmo Maborn de Witham super Montem xv*s*. sol' vic'.

EXITUS NULLI.

Page 268.

FOLKINGHAM. CHRISTMAS 1680.

Mr. Lister.

- Anna Tebb de Kirkby Underwood ad respondendum pro suspicione fascinationis. (i*js*.<sup>m</sup> poor<sup>l</sup>).
- Radulphus Browne de Pickworth ad prosequendum et preferendum billam indictamenti versus prefatam Annam Tebb for witchcrafte & sorcery. (ad prosequendum<sup>m</sup>).
- \* Johannes Locklin de Wilsford ad respondendum et pro pace. (i*js*.<sup>m</sup>)
- Johannes Wyer de Hanthorpe yeoman ad prosequendum et preferendum billam versus Aliciam Beho, Jane Beho, Mary Pyke and Mary Denham of Hanthorpe for seuerall linnens &c. (ad prosequendum<sup>m</sup>).
- ≡ Alicia Beho de Hanthorpe ad respondendum pro felonia &c. (i*js*.<sup>m</sup>)

- ≡ (Anna<sup>c</sup>) (Jana<sup>l</sup>) Beho de eadem ad respondendum pro felonia &c. (ijs.<sup>m</sup>)
- ≡ Maria Pyke de Hanthorpe ad respondendum pro felonia. (ijs.<sup>m</sup>)
- ≡ Maria Denham de Hanthope ad respondendum pro felonia predicta &c. (ijs.<sup>m</sup>)

Sir William Yorke.

Willelmus Carrington de Swayton in *xxli.* pro bono gestu.

- \* William Beamont de Barrowby in *xxli.* ad respondendum. (tent' de novo. Committitur ad custodiam vicecomitis<sup>l</sup>). (non exoneratus d<sup>m</sup>).

Page 269 [blank].

Page 270.

LINCOLNE	GENERAL SESSION OF THE PEACE, HELD AT
KESTEVEN	FOLKINGHAM, 10 JANUARY 1680-1, BEFORE
FOLKINGHAM	LISTER TIGH, WILLIAM SAVILE, EDWARD
CHRISTMAS	WEBBE, AND CHRISTOPHER BERESFORD,
1680	ESQUIRES.

#### INDICTAMENTA &C.

- 1 ≡ Robertus Selby de Somerby & 2. \* Willelmus Tayler de Marston—quia ipsi primo die Octobris & diversis aliis diebus &c. apud Syston in partibus et comitatu predictis in omnibus sex diebus legitime appunctis pro reparacione Regiarum viarum ibidem cum carractis suis pro terris suis ibidem defaultum fecerunt contra formam statuti &c.
- 3 \* Godfridus Mason de Barrowby quia existens supervisor Regiarum viarum in Barrowby predicta officium suum neglexit in permittendo communes Regias vias in magno decasu jacere et remanere ob defectum reparacionis contra &c.
- 4 \* Idem Godfridus Mason quia ipse communes vias predictas cum quibusdam magnis et informibus lapidibus obstruxit et infestavit ad graue nocumentum &c. ac contra formam &c.
- 5 \* Robertus White de Kirkby Underwood pro detinendo vadia cujusdam Ricardi King ad valenciam *2li.* *1s.* *8d.* (vadia paid<sup>l</sup>).

Page 271.

- 6 Robertus Towers de Swayton, 7. + Uxor Jacobi Brand de eadem, 8. Maria Barker de eadem vidua, 9. Elizabetha Middlebrooke de Spittlegate, 10. Ellen Parkinson de Westby vidua, 11. Ricardus Parkinson de eadem, 12. Maria Parkinson de eadem, [et] 13. Maria Rimmington de eadem vidua—pro non veniendo ad ecclesias suas parochiales per spacium trium dominicorum prout &c. contra formam &c.

#### ARRAINMENTA NULLA.

#### EXITUS.

De Ricardo Briggs de Aunsby quia non comparuit ad hanc sessionem ad inquirendum super constabulariorum juratam sicut summonitus fuit. Ideo &c. *xs.*

Page 272.

SLEAFORD  
CHRISTMAS  
1680

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 11 JANUARY 1680-1, BEFORE  
THOMAS HUSSEY, BARONET, WILLIAM LISTER,  
EDWARD WEBBE, AND CHRISTOPHER BERESFORD,  
ESQUIRES.

INDICTAMENTA &C.

- 1 Johannes Hastings de Ewarby et 2. Residui inhabitantes eiusdem ville—pro eo quod quaedam communis Regia via in Ewerby inter loca [*sic*] vocat' Kyme Ferry & Nunne Ea ducent' [*sic*] usque ad villam mercatoriam de Sleaford Nova est valde ruinoso ob defectum reparacionis et emendacionis in defaulto personarum predictorum ad graue nocumentum ligeorum subditorum domini Regis ac contra formam statuti &c.
- 3 Johannes Storey de Ingoldsby, 4. Sara uxor eius, 5. Georgius Bishell de eadem, 6. Johannes Gilbert de eadem, 7. Willelmus Askew de Kelby, 8. Jana uxor eius, [et] 9. Anna Hill de eadem—quia . . . non accesserunt . . . ad ecclesias suas parochiales . . . infra tres dies dominicos . . .
- 10 Robertus Shelborne de South Kyme generosus, 11. Henricus Shelborne de eadem generosus, [et] 12. Maria Barraclough de eadem—pro recusando 3 menses.
- 13 \* Johannes Smith de Dirrington tayler pro insultu et affraia in & super quendam Ricardum Haw &c. contra pacem. (concordatum<sup>1</sup>).

Page 273.

ARRAINMENTA NULLA.

EXITUS.

De Willelmo Moore de Carlton in Moreland quia ipse non comparuit ad hanc Sessionem ad inquirendum pro domino Rege super constabulariorum juratam sicut summonitus fuit. Ideo &c. xs.

Page 274.

BOURNE. EASTER 1681.

Willelmus Carrington de Swayton in *xxli.* ad respondendum. (d d d<sup>m</sup>)

— Willelmus Beamont de Barrowby in *xxli.* pro consimili. (continued<sup>m</sup>).

Sir Richard Cust.

Henry Bulliman de Manthorpe ad comparendum, et prosequendum versus Thomam Barnes de Sleaford for enter-tayneinge, & harboringe of high way men, & cheats att vnseasonable times &c. (ordered to be supprest, estreat d d d<sup>m</sup>).

≡ Willelmus Walton de Witham super Montem victualler ad comparendum et respondendum pro bono gestura. (feodum solutum clerico<sup>m</sup>).

Elizabetha Lea de Dyke, James Swifte de eadem, [et] Dorothy Weldon de Bourne(d<sup>m</sup>)—ad comparendum et prosequendum versus Daniell Glouer for stealinge certayne things. (ad comparendum & prosequendum<sup>m</sup>).

- \* Daniell Glouer de Dyke ad comparendum et respondendum pro felonia (non sol<sup>m</sup>).

- \* (Willelmus Thompson de Witham super Montem in *xli*.<sup>1</sup>).

Mr De Ligne.

- \* Johannes Hare de Stoake in *xxli*. pro bono gestu. (debet 8s. 6d.<sup>cm</sup>).

Mr Farmer.

- \* Thomas Noble junior de Langtofte in *xxli*. pro pace.

- \* Johannes Johnson de Uffington in *xli*. pro pace.

Mr Tigh.

- \* William Levitt de Castle Bytham in *xli*. ad respondendum.

George Espin, Elizabeth Espin, Ann Espin ad prosequendum Sumerby.

≡ Robertus Somerby de Ingoldsby in *xxli*. ad respondendum. (d d d<sup>m</sup>). (refuse to pay fees<sup>m</sup>).

≡ Anna Fisher de Ingoldsby in *xxli*. ad respondendum. (d d d<sup>m</sup>) (James White fine<sup>c</sup>).

Page 275.

SLEAFORD. EASTER 1681.

- \* Edwardus Browne de Heckington in *xxli*. pro pace &c.

— Thomas Barnes de Sleaford Nova in *xli*. [pro] pace. (committed<sup>m</sup>).

Wm Lister Esq.

- \* Michael Gunhill de Caythorpe in *xxli*. pro bono gestu.

Christopher Beresford Esq.

- \* Alicia Atkin de Marston in *xxli*. ad respondendum.

- \* Willelmus Gaskin de Doddington in *xxli*. pro bono gestu.

- \* Johannes Lambe de Long Ledenham in *xxli*. pro bono gestu. (estreat d<sup>mo</sup>).

Dr Fuller.

- \* Roger Pacey de Navenby in *xli*. pro pace versus Janam Dickinson.

- \* Jacobus Capps de Aswarby in *xxli*. pro bono gestu.

Sir William Yorke knight.

Willelmus Whitehead de Sleaford Nova pro pace versus Thomam Barnes. (d estreat <sup>mo</sup>). (respituated<sup>m</sup>).

Mr Beresford fined 10s.

Edward Browne lattice maker, Balderton.

Robert Wright, a boy of Leeds.

Elizabeth Espin of Bitchfeild.

Warrant of good behaviour against John Hawson of Heckington. William Barton de eadem. Richard Booth de eadem. John Castledine de eadem.

(Mr Lister<sup>c</sup>) Sir Thomas Hussey baronet chosen treasurer for the Marshalsey, [and] Mr George Fairfax for the maymed soldiers.

John Swallow de Billingay pro ingrossando granum.

Hugo Smith de eadem pro custodiendo 2 firmas &c.

Page 276.

LINCOLNE  
KESTEVEN  
BOURNE  
EASTER  
1681

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, 11 APRIL 1681, BEFORE RICHARD  
CUST, BARONET, CHRISTOPHER CLAPHAM,  
KNIGHT, THOMAS HARRINGTON, WILLIAM HYDE,  
LISTER TIGH, AND THOMAS FARMER, ESQUIRES.

INDICTAMENTA &C.

Hieronimus Bertie de Lound armiger, Franciscus Wright de  
Hawthorpe, Willelmus Drewry de Irnham, Isabella  
Willows de eadem, Maria Greenbury de Hauthorpe,  
Ricardus Clarke de Corby, Ricardus Brookes de eadem,  
[et] Johannes Sympson de eadem—quia . . . non accesserunt  
ad ecclesias suas . . . infra tres menses . . .

Claydon Jolley de West Deeping generosus pro detinendo  
vadia cujusdam Johannis Fuller de Helpringham ad  
valenciam 10s.

Page 277.

ARRAINMENTA.

Willelmus Levit de Castle Bytham super arrainmentum suum  
placitavit non culpabilis et posuit se. Juratores dicunt  
quod est culpabilis &c. Flagellatur usque &c.

Daniel Glover de Dyke super arrainmentum suum placitavit  
non culpabilis et posuit se. Juratores dicunt quod est  
culpabilis, petit librum legit et crematur &c.

Elizabetha Sutton de Ingoldsby super arrainmentum suum  
placitavit non culpabilis et posuit se. Juratores dicunt  
quod non est culpabilis nec fugit, exonerata &c.

RECOGNITIONES DEFAULTAE.

De Henrico Bulliman de Manthorpe quia non comparuit &c.  
ad prosequendum versus Thomam Barnes. Ideo &c. *vli.*

De Roberto Summerby de Ingoldsby quia non comparuit ad  
respondendum &c. Ideo &c. *xli.*

De Anna Fisher de Ingoldsby pro consimili *xli.*

RECOGNITIONES.

Johannes Hare de Wyvell in parochia de Stoake in *xli.* ad  
prosequendum traverse cum effectu.

Page 278.

PROCESSUS PACIS DOMINI REGIS.

VENIRE FACIAS EASTER 1681.

- 1 Hieronimum Bertie de Lound armigerum. 2. Franciscum  
Wright de Hawthorpe. 3. Willelmum Drewry de Irnham.  
4. Isabellam Willows de eadem. 5. Mariam Greenbury de  
Hawthorpe. 6. Ricardum Clarke de Corby. 7. Ricardum  
Brookes de eadem. 8. Johannem Simpson de eadem.  
9. Claydon Jolley de West Deeping generosum.

CAPIAS CHRISTMAS '80.

- 5 Robertum White de Kirkby Underwood. 6. Robertum  
Towers de Swayton. 7. + Uxorem Jacobi Brand de eadem.  
8. Mariam Barker de eadem widow. 9. Elizabetham  
Middlebrooke de Spittlegate. 10. Ellenam Parkinson de

Westby. 11. Ricardum Parkinson de eadem. 12. Mariam Parkinson de eadem. 13. Mariam Rimmington de eadem.  
 ALIAS CAPIAS MICHAELMAS 1680.

- 1 Edwardum Harwood de Morton. 2. Willelmum Booth de eadem. 3. Thomam Rivelin de eadem. 4. Willelmum Jackson de Bulby. 5. Johannes Lewin de eadem.

Page 279. PLURIES CAPIAS. 1680. MIDSUMMER.

- 8 Thomam Booth de Morton. 10. + Thomam Tookey de Dowsby.

EASTER '80.

- 1 Johannem Thimbleby de Irnham generosum. 2. Edwardum Simpson de eadem. 3. Thomam Walbancks de Hawthorpe. 4. Jacobum Walbancks de eadem. 5. Mariam Beetsen de Bulby widow. 6. Katharinam Browne de eadem. 7. Katharinam Clarke de eadem. 8. Johannem Sympson de Corby. 9. Ricardum Brookes de eadem. 10. Jeronimum Bertie de Lound armigerum. 11. Francescam Cape de eadem widow. 13. Mariam Hunt de North Stoake. 14. Ellenam Parkinson de Westby. 18. Jacobum Dally de Market Deeping. 19. — Johannem Noble de Stamford. 20. — Johannem Bass de eadem. 21. — Johannem Cheyney de eadem. 22. — Johannem Wildbore de Ginton in comitatu Northampton. 23. — Ricardum Stringer de Barnacke in comitatu predicto. 24. Thomam Baker de Deeping St Jacobi. 25. Josephum Woods de Manthorpe.

Page 280.

CHRISTMAS '79.

- 2 Jacobum Hardwick de Bourne. 3. Mariam Hunt de North Stoake. 4. Willelmum Sutton de Paunton Parva. 7. Robertum Coggles de Wilsford (mortuus<sup>m</sup>). Edwardum Thompkin de Paunton Parva.

RECOGNITIONES.

In Curia.

Johannes Hare de Wyvell in parochia de South Stoake ad prosequendum traverse cum effectu. (placitavit non culpabilis<sup>l</sup>).

Mr Hyde.

- \* Matthew Flender de Langtoft in *xli*. pro pace versus Beaver. Jacobus Hardwick ad prosequendum.  
 Ricardus Hodgson de Bourne in *xxli*. ad respondendum. (debt<sup>m</sup>).

Mr Tigh.

- ≡ Johannes Clarke de Syston in *xli*. ad respondendum. (refuse to pay<sup>m</sup>).  
 ≡ Thomas Baker de Syston in *xli*. ad (respondendum<sup>c</sup>) prosequendum.

Mr Savile.

- ≡ Anna uxor Thome Hawson de Hackonby ad (respondendum<sup>c</sup>) prosequendum.  
 — Maria Pyke de Hackonby ad respondendum. (poor<sup>m</sup>).

Capt Harrington.

Sir Richard Cust.

\* Thomas Baker de Deeping St Jacobi ad respondendum.  
(debet 3s. 4d.<sup>m</sup>).

\* Samuel Gan de Deeping St Jacobi ad respondendum pro pace.

Page 281.

Thomas Harrington.

\* Willelmus Bradford de Gunby ad respondendum for stealinge  
of corne. (tenta de novo Thoma Walker de eadem xxli.<sup>1</sup>).

Thomas Parkinson ad prosequendum versus predictum  
Willelmum Bradford. (tenta de novo<sup>1</sup>). (prosequendum<sup>m</sup>).

\* Johannes Stephenson de Swayfeild labourer ad comparandum  
et respondendum et pro bono portu. (d<sup>mc</sup>)

\* Robertus Hode de Gunbye labourer ad comparandum, et pro  
pace.

\* Willelmus Applegath de Corbye yeoman ad comparandum et  
respondendum pro insultu et affraia.

Georgius Dewye ad prosequendum versus predictum Willelmus  
[sic] Applegath. (prosequendum<sup>m</sup>).

Willelmus Applegarth tenetur in 40*li*. ad prosequendum  
traverse cum effectu.

Ordered that Thomas Dawson of Pointoyn haue 40s. per  
annum pencion in the roome of Robert Holmes deceased.

Page 282.

LINCOLNE  
KESTEVEN  
SLEAFORD  
EASTER  
1681

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 12 APRIL 1681, BEFORE WILLIAM  
YORKE, KNIGHT, WILLIAM LISTER, CHRISTOPHER  
BERISFORD, ESQUIRES.

#### INDICTAMENTA.

- 1 Georgius Sharpe de Sleaford Nova butcher, 2. [blank] uxor  
eiusdem Georgii, 3. Ricardus Spencer de eadem et  
4. Ricardus Parkes de eadem—quia ipsi xx<sup>o</sup> die Decembris  
ult' pret' apud Sleaford Novam predictam in et super  
quosdam Symonem Pell, Willelmum Man, Willelmum  
Thorpe et Robertum Carre existentes communes vigilatores  
eiusdem villae insultum et affraiam fecerunt et ipsos ad  
tunc et ibidem verberaverunt &c. contra pacem &c.
- 5 Robertus Shelburne de South Kyme quia existens supra  
aetatem sexdecim annorum et amplius non accessit ad  
ecclesiam parochialem ad aliquod tempus infra tres  
menses nunc ult' pret' sed obstinate abstinuit ab eadem  
contra formam statuti &c.
- 6 Thomas Butler de Nocton husbandman quia ipse nono die  
Aprilis ult' pret' apud Dunston in partibus et comitatu predictis  
communem carcerem pecuarium ibidem, fregit et triginti  
oves de bonis ipsius Thome Butler ibidem imparcatas pro  
dampnum faciendo ad tunc rescussit et ad largum posuit &c.

Page 283.

- 7 Robertus Sewell de Wellingore pro detinendo vadia cuiusdam Henrici Bates ad valenciam 13s. &c.
- 8 Ricardus Barker de Sleaford Nova baker pro detenendo vadia cujusdam Elizabethae Stoakes 3s. 9d. &c.

ARRAINMENTA.

Margareta Smith de Sleaford Nova et Alicia Atkin de Marston —super arrainmenta sua placitaverunt non culpabiles et posuerunt se. Juratores dicunt quod non sunt culpabiles nec fugerunt Ideo exonerantur.

EXITUS.

De Josepho Cranwell de Howell vis. viiid.

FINES.

De Jasper Savill de Martin sol' vic' iis. vid.

De Edwardo Hardy de Timberland sol' vic' iis. vid.

De Ricardo Bradshaw de Walcott sol' vic' iis. vid.

Page 284.

DEFAULTA SUPER RECOGNITIONES.

Thomas Barnes de Sleaford Nova in *xxli.* ad respondendum. (committed<sup>m</sup>).

- \* Willelmus Whitehead de Sleaford Nova in *xli.* pro pace. (respited<sup>m</sup>).

Page 285.

PROCESSUS PACIS DOMINI REGIS.

VENIRE FACIAS EASTER 1681.

- 1 Georgium Sharpe de Sleaford Nova. 2. Uxor eiusdem Georgii. 3. Ricardum Spencer de eadem. 4. Ricardum Parkes de eadem. 5. Robertum Shelbourne de South Kyme. 6. \* Thomam Butler de Nocton. 7. Robertum Sewell de Wellingore. 8. \* Ricardum Barker de Sleaford Nova, wages paid. \* Georgium Sturdivell de Timberland.

ALIAS DISTRINGAS CHRISTMAS 1680.

- 1 \* Johannem Hastings de Ewerby et residui. 2. \* Inhabitantes eiusdem ville. 3. Johannem Storey de Ingoldsby, (capias<sup>m</sup>). 4. Saram uxorem eius. 5. Georgium Bishell de eadem. 6. Johannem Gilbert de eadem. 7. Willelmum Askew de Kelby. 8. Janam uxorem eius. 9. Annam Hill de eadem. 10. Robertum Shelbourn de South Kyme generosum. 11. Henricum Shelbourn de eadem generosum, (mortuus<sup>m</sup>). 12. Mariam Baraclough de eadem.

ALIAS CAPIAS MIDSUMMER '80.

- 1 \* Rogerum Scrimshaw de Longa Bennington. 5. Annam Heyney de Heckington, (mortua<sup>m</sup>). 8. Willelmum Askew de Kelby.

Page 286.

- 10 Phillippum Easton de Boultham. 11. Johannem Easton de eadem. 12. \* Thomam Rands de Awborne. 13. + Thomam Walker de Thorpe super montem. 14. + Aliciam Smith de eadem widow. 15. + Henricum Symonson de North Hykam. 16. + Ricardum Pridgeon de eadem.

17. + Willelmum Pridgeon de eadem. 18. + Georgium Good de Navenby. 21. + Annam Cawdell de North Scarle. 23. + Thomam Crayle de eadem. 24. + Rogerum Stamper de eadem, mortuus. 26. Widow Willis de eadem. 27. Thomam Browne de Skillington. 28. Isabellam Holton de eadem. 29. Ricardum Cooke de Skellingthorpe. 30. Johannem Barrowes de eadem. 31. Elizabetham Badge de eadem. 32. + Jonam Chamberlain de eadem. 33. Willelmum Rowden de Whisby. 34. Johannem Onyon de eadem. 35. + Georgium Pacey de Harmston. 36. + Thomam Archer de eadem. 37. Johannem Hales de Haddington, mortuus. 38. Isabellam Hudson de Bassingham. 39. + Annam Dawson de eadem. 40. + Faith Sturgis de eadem. 41. + Elizabetham Sturgis de eadem. 42. + Edwardum Sneath de Brant Broughton.

Page 287. PLURIES CAPIAS EASTER '80.

- 1 \* Annam Goodbourne de Bennington. 8. Elizabetham dominam Widdrington de Blanckney. 9. Elizabetham Cole de eadem. 10. Margeream Pinnington de eadem. 11. Jacobum Boulton de eadem. 12. Willelmum Woods de eadem. 13. Annam Hixon de eadem. 14. Saram Hixon de eadem. 15. Rebeccam Wilson de eadem. 16. Francescam Howard de Donston widow. 17. Robertum Warriner de eadem. 18. Susannam Hawney de eadem. 19. Robertum Shelborn de South Kyme. 20. Elizabetham King de Aswarby. 21. Davidum Fogarthy de Scawpwick. 22. Willelmum Allen de eadem. 23. Hugonem Allen de eadem. 36. Johannem Hales de Haddington. 37. Pennel' Hales de eadem. 38. + Vincentium Frotheringham de Welborne, mortuus. 39. + Daniele Brittain de eadem.

CHRISTMAS '79.

- 2 Robertum Shelbourne de South Kyme. 3. Moysen Heyney de Heckington. 4. + Thomam Pryer de eadem.

Page 288.

- 5 Willelmus [*sic*] Pickworth de Helpringham, (mortuus<sup>m</sup>). 6. + Johannem Walcott de eadem. 7. + Robertum Skerritt de eadem. 8. Juditham Simpson de Hough super Montem. 9. Annam Robson de Brandon. 11. ≡ Johannem Caborn de Billingham. 12. Willelmum Thacker de Dirrington.

RECOGNITIONES.

Sir William Yorke.

Ellen Storey de Maxey ad prosequendum Elizabetham Cilson. (prosequendum<sup>m</sup>).

Ricardus Bloomfeild ad prosequendum Cilson. (prosequendum<sup>m</sup>)

— Elizabetha Cilson de Helpringham in *xxli.* ad respondendum.

— Willelmus Thornton de Leasingham in *xli.* pro pace.

— Grace uxor Ezeikiel Falkner de Heckingham [*sic*] ad respondendum.

- \* Thomas Barnes de Sleaford Nova in *xxli.* pro bono gestu.
- \* Michael Gunwell de Caythorpe in *xxli.* pro pace. (tenta per Willelmum Pickworth et Robertum Shore in *xli.* uterque<sup>1</sup>).
- \* Willelmus Beresford de Anwick in *xli.* pro pace versus Foster,
  - Willelmus Barton de Heckington in *xxli.* pro bono gestu,
  - Johannes Castledyne de eadem in *xli.* pro consimili,
  - \* Ricardus Booth de eadem in *xli.* pro consimili, (sick, respited<sup>m</sup>), [et] — Ricardus Strappes de eadem in *xli.* pro consimili—sol' cler'

Mr Lister.

- \* Anthonius Gaunt de Donston in *xxli.* pro bono gestu. Thomas Bearne ad prosequendum.

Page 289.

Mr Tigh.

Rogerus Scrymshaw de Long Bennington ad respondendum. (prosequendum<sup>m</sup>).

≡ Eliner Patrick de eadem in *xxli.* pro bono gestu. (debet 2s. 6d.<sup>m</sup>)

- \* Carolus Brandon de eadem in *xxli.* pro consimili.

Mr Beresford.

- \* Michael Coy de Fulbecke in *xxli.* pro pace versus Mary Gunwell.
- \* Alicia Jackson de Long Bennington pro bono gestu. (stands on her Recognisance<sup>1</sup>) (lame<sup>m</sup>).
- \* Johannes Golding de eadem in *xxli.* pro consimili. (tenta de novo per seipsum &c. in *xxli.*<sup>1</sup>)
- \* Rogerus Scrimshaw de eadem in *xxli.* pro consimili.  
John Myres. Peter Stout ad prosequendum Golding.  
John Smith de Claypoole ad prosequendum Abbott.
- \* Ricardus Abbott de Westborow ad respondendum.
- \* Johannes Clarke de Longa Bennington pro bono gestu.
- \* Henricus Thompson de eadem pro pace versus Gilbert.

Page 290.

LINCOLNE  
KESTEVEN  
BOURNE  
MIDSUMMER  
1681

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, 11 JULY 1681, BEFORE ROBERT CARR,  
KNIGHT AND BARONET, RICHARD CUST, BARONET,  
THOMAS HARRINGTON, WILLIAM HYDE, LISTER  
TIGH AND THOMAS FARMER, ESQUIRES.

#### INDICTAMENTA.

- 1 Robertus Kellam de Cawthorpe weaver quia primo die Junii ult' pret' apud Cawthorp predictam incroachiavit super communem Regiam viam ibidem per faciendum et edificandum quendam puteum aut fontem (Anglice a well) in via predicta ad graue nocumentum inhabitantium ac contra &c. (run away<sup>1</sup>).
- 2 Idem Robertus Kellam pro communem transgressionem in cerere et agris eiusdem villae cum anseribus suis &c.

- 3 Robertus Hodgkin de Gunby pro insultu et affraia super quendam Thomam Pratt contra pacem &c.
- 4 \* Samuel March de Welby pro consimili super quendam Elizabetham Ward &c. (exoneratus per ordinem Mr Tigh<sup>1</sup>).
- 5 Willelmus Applegarth de Corby pro consimili super Georgium Dewy. (Comparuit, submitted, fine xs.<sup>1</sup>)
- 6 \* Robertus White de Kirkby Underwood quia die capcionis hujus inquisitionis quendam summam pecunie 25s. in manibus suis ab inhabitantibus eiusdem villae injuste detinuit existentem debitam super computum ut constabularius pro anno 1680. Ad dampnum inhabitantium ac contra formam &c. (respired till Easter<sup>e1</sup>), (exoneratus<sup>m</sup>).

Page 291.

- 7 Johannes Thimbleby de Irnham generosus, 8. Samuel Key de eadem, 9. Johannes Drewry de eadem, 10. Thomas Ball de eadem, 11. Johannes Broxholme de eadem, 12. Isabella Willows de eadem, 13. Edwardus Crunckhorne de eadem, 14. Thomas Walbancks de Hawthorp, 15. Jacobus Walbancks de eadem, 16. Elizabetha Austin de eadem, 17. Maria Greenbury de eadem, 18. Johannes Lewin de eadem (Bulby<sup>1</sup>), 19. Willelmus Newton de Irnham generosus, 20. Ricardus Hewitt de Bulby, 21. Katherina Browne de eadem, 22. Maria Beetson de eadem, [et] 23. Jeronimus Bertie de Lound armiger—quia existentes supra aetatem 16 annorum et Romanae religionis sectatores non accesserunt ad ecclesias suas parochiales per spatium trium mensium sed obstinate abstinuerunt ab eisdem contra formam statuti &c.
- 24 Johannes Gunthorpe de Castle Bytham, 25. Johannes Skeath de Manthorpe, [et] 26. Elizabetha Middlebrook de Spittlegate—pro 3 sundays.

#### ARRAINMENTA.

Maria Pyke de Hackonby super arrainmentum placitavit non culpabilis. Juratores dicunt quod non culpabilis nec fugit. Ideo &c. exonerata.

Ricardus Hodgson de Bourne, & Thomas Baker de Deeping St Jacobi—super arrainmenta placitaverunt non culpabiles. Juratores dicunt quod culpabiles. Petierunt librum legerunt et cremantur in manu leva.

Page 292.

#### EXITUS NULLI.

##### FINES.

De Samuele Sutton de Tallington pro quodam fine super eum posito &c. sol' vic' iis. vid.

De Willelmo Vesse de Gretford pro consimili iis. vid.

De Jacobo Barnes de Barholme pro consimili iis. vid.

##### EXITUS.

De Anthonio Wheatley de Awnsby quia non comparuit ad hanc Sessionem &c. vis. viiid.

Page 293.

SLEAFORD

(MICHAELMAS<sup>e</sup>)

MIDSUMMER

1681

GENERAL SESSION OF THE PEACE, HELD AT SLEAFORD, 12 JULY 1681, BEFORE ROBERT CARRE, KNIGHT AND BARONET, THOMAS HUSSEY, BARONET, WILLIAM YORKE, KNIGHT, WILLIAM LISTER, CHRISTOPHER BERESFORD AND EDWARD WEBB, ESQUIRES.

#### INDICTAMENTA &C.

- 1 Phillippus Smith de Sleaford Nova quia sexto die Julii ult' pret' vi et armis apud Sleaford Novam predictam sex mensuras siliginis et hordei inter mixtas de bonis et catallis cujusdam Samuelis Rollison iniuste et illicite cepit et asportavit contra pacem Domini Regis &c.
- 2 Willelmus Farmery de Sleaford predicta shoemaker existens communis vigiliæ eiusdem villæ officium suum neglexit &c.
- 3 Josephus Wiles de eadem quia ipse vicesimo die Junii ult' pret' apud Sleaford predictam vigiliæ suas nocturnas agere neglexit et recusavit contra &c.
- 4 Phillippus Easton de Boultham, 5. Johannes Easton de eadem, 6. Margaretta Easton de eadem, 7. Uxor Georgii Caskin de Wellingore, 8. + Johannes Ward de Carlton Moreland, (mortuus<sup>m</sup>), 9. + Georgius Good de Navenby, 10. Uxor Johannis Steele de Wellingore, [et] 11. + Uxor Johannis Sewell [de] eadem—pro non reparando ad ecclesias per spatium trium dierum dominicorum contra formam &c.

Page 294.

- 12 \* Thomas Seckers de Hougham, (exoneratus per curiam<sup>l</sup>), 13. + Thomas Robinson de Brant Broughton, 14. + Edwardus Sneath de eadem, 15. + Fortuna Sandich de eadem, 16. + Stephanus Hall de eadem, 17. Johannes Darker de eadem, 18. Willelmus Booth senior de eadem, (mortuus<sup>m</sup>), 19. + Bridgetta Hall de eadem, 20. \* Laurencius Barkston de Marston, [et] 21. Johannes Day de eadem—pro consimili 3 dies dominicos.

#### ARRAINMENTA.

Ricardus Abbott de Westborow super arrainmentum suum placitavit non culpabilis et posuit se. Juratores dicunt quod est culpabilis ad valenciam 11<sup>d</sup>. flagellatur usque &c. Elizabetha Cilson de Helpringham super arrainmentum suum cognovit indictamentum flagellatur &c.

#### EXITUS NULLI.

#### FINES.

De Johanne Huffe de Bennington Longa solutum vicecomiti 1s.  
De Rogero Scrimshaw de eadem pro consimili xxs.  
De Michaele Gunwell de Caythorpe pro consimili sol' vs.

Page 295.

#### DEFAULTA SUPER RECOGNITIONES.

Willelmus Thornton de Leasingham, Gracia Faulkner de Heckington, Willelmus Beresford de Anwicke, Elizabetha Cilson de Helpringham—pro defaulta.

Page 296. FOLKINGHAM. MICHAELMAS 1681.

Captain Harington.

\* Thomas Gervase de Corby in *xli.* pro bono gestu.

\* Katherina Collingwood de eadem pro consimili.

Mr Tigh.

\* John Bladesmith de Aslackby in *xli.* pro bono gestu.

Edmund Lolley de Bourne in *xli.* pro bono gestu. (d<sup>m</sup>).

John Wildman de Milthorp in *xli.* ad prosequendum Bladsmith. (prosequendum<sup>m</sup>).

Mr Deligne.

\* Ricardus Parker senior de Stroxtton in *xli.* pro pace.

\* Jana uxor eius.

\* Ricardus Parker junior pro consimili, [et] \* Thomas Parker de eadem—pro pace versus Johannem Harrington gentleman.

Captain Hyde.

\* Thomas Sanderson de Deeping St Jacobi in *xli.* pro pace.

William Wiley ad prosequendum Johannem Hare. (prosequendum<sup>m</sup>).

≡ Robertus Malkinson junior de Barrowby in *xli.* pro bono gestu.

Sir Christopher Clapham.

\* Elizabetha uxor Roberti Smith de Baston pro pace versus Jonam Boardman.

Ordered Mr James Swale of Netlam (in Lincolnshire<sup>1</sup>) shall have a pencion of 4*li.* per annum & his first payment to begin att this Sessions, & 3*s.* more for his orders & when there is a supplye of new money in the treasury to bee augmented to a better proportion.

Page 297. SLEAFORD. MICHAELMAS 1681.

William Shaw de Sleaford Nova in *xli.* pro pace. (Mr B. d<sup>m</sup>).

— William Beresford de Anwick in *xli.* pro pace.

\* Ricardus Mason de Foston in *xli.* pro bono gestu.

\* Robertus Braisford de Foston in *xli.* pro consimili.

\* Johannes Fisher de Fawson in *xli.* pro bono gestu.

≡ Robertus Talford de Sleaford in *xli.* pro bono gestu.

\* Margaretta uxor Thomae Baldwin pro pace.

Robertus Watson de Branswell prosequendum, d. (prosequendum<sup>m</sup>).

\* Anthonius Greene de Bennington pro feloniam.

In Curia.

\* Johannes Golding de Benington.

Page 298.

LINCOLNE

KESTEVEN

FOLKINGHAM

MICHAELMAS

1681

GENERAL SESSION OF THE PEACE, HELD AT  
FOLKINGHAM, 3 OCTOBER 1681, BEFORE  
CHRISTOPHER CLAPHAM, THOMAS HARRINGTON,  
LISTER TIGH, WILLIAM SAVILE AND DANIEL  
WIGMORE, ESQUIRES.

INDICTAMENTA & C.

1 Edwardus Wiley de Uffington, 2. \* Nicholaus Deanes de eadem, 3. \* Edwardum [*sic*] Bogey de eadem,

4. Johannem [*sic*] Loc de eadem, 5. Franciscum [*sic*] Lea de eadem et 6. Residui inhabitantes de eadem—quia ipsi die capcionis hujus inquisitionis apud Uffington predictam communem pontem publicum vocatum Small Brigs inter Uffington & Stamford in magno decasu remanere permiserunt ad grave nocumentum ligeorum populorum ac contra formam &c.

- 7 × Jacobus Hyde de Folkingham gentleman, 8. × Johannes Smith de eadem, [et] 9. × Johannes Peake de eadem baker & 10. [*blank*] exciseman—quia quarto die Septembris ult' pret' existente die dominico apud Walcott sederunt et remanserunt in domo maucionale cujusdam Deborae Marshall viduae bibentes et tipulantes tempore divini servitii contra formam statuti &c.
- 11 × Debora Marshall de Walcott quia ipsa eodem die apud Walcot predictam easdem personas permisit sedere bibentes tempore Divini Servitii contra &c.
- 12 \* Willelmus Greene de Osburnby & 13. \* Anna uxor eius—pro non reparando ad ecclesiam parochialem per tres dies dominicos contra formam &c. (exonerati!).
- 14 Elizabetha Middlebrook de Spittlegate pro consimili &c.

Page 299.

EXITUS.

De Thoma Wright de Pointon quia ipse non comparuit Ideo &c. xs.

FINES.

De Roberto Malkinson juniore et aliis de Barrowby pro quodam fine soluto vicecomiti iis. *vid.*

ARRAINMENTA.

Johannes Hare de Langtoft super arrainmentum suum placitavit non culpabilis. Juratores dicunt quod est culpabilis. flagellatur &c.

Willelmus Bradford de Gunby similiter flagellatur &c.

Page 300.

SLEAFORD  
MICHAELMAS  
1681

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 4 OCTOBER 1681, BEFORE WILLIAM  
LISTER & CHRISTOPHER BERESFORD, ESQUIRES.

INDICTAMENTA &c.

- 1 — Johannes Middlebrooke de Carlton Scroope quia ipse super separalibus diebus dominicis nunc ultimis preteritis permisit separales personas sedere in domo sua in tempore Divini Servitii contra formam statuti &c. (mortuus!).
- 2 \* Willelmus Sturdivell de Martin quia die capcionis hujus inquisitionis apud (Martin<sup>c</sup> Blanckney<sup>m</sup>) predictam fensuras suas versus communem paludinem non reparavit ad grave nocumentum &c.
- 3 Willelmus Whitehead de North Scarle, iis. *xid.*, 4. Willelmus Coddington de eadem, iis., [et] 5. Thomas Browne de eadem, iis. *vid.*—quia ipsi die capcionis hujus inquisitionis

apud North Scarle separales summas predictas super eos legitime assessatas solvere recusaverunt Matheo Woolmer constabulario ad graue dampnum &c.

6 \* Johannes Barraclough de South Kyme pro custodiendo domum tiplacionis sine licentia justiciariorum pacis contra formam statuti &c.

7 \* Idem Johannes Barraclough de South Kyme quia ipse vicesimo octavo die Septembris ult' pret' communem carcerem pecuarium fregit &c. contra pacem &c. (respit' till &c!).

Page 301.

8 \* Edwardus Godsoe de Hale magna, [et] 9. \* Abrahamus Whitehead de eadem—quia die capcionis hujus inquisitionis apud Hale predictam fensuras suas reparare recusarunt juxta communem Regiam viam ad graue nocumentum &c. contra formam &c.

10 Josephus Wiles de Sleaford Nova quia octavo die Septembris ult' pret' apud Sleaford vigilias suas nocturnas agere neglexit contra &c.

11 \* Robertus Clifton de Ruskington quia duodecimo die Septembris ult' pret' vi et armis apud Ruskington predictam duas equas et pullos suos (2 mares & foales) ut fuerunt in ducendo ad communem carcerem pecuarium a quodam Thoma Jackson rescussit et ad largum ire posuit contra pacem &c. (exoneratus!).

12 \* Josephus Gooding de Leasingham pro consimili ut Godsoe &c.

13 \* Idem Josephus Goodin de eadem quia die capcionis &c. apud Leasingham predictam quendam canem periculosum ad mordendum catalla usitatem illicite custodiit contra pacem &c.

ARRAINMENTA &c.

Edwardus Chapman de Sleaford Nova super arrainmentum suum placitauit non culpabilis. Juratores dicunt quod est culpabilis, petit librum legit et crematur.

Page 302.

FINES.

De Johanne Golding de Bennington Longa sol' vic' xxs.

EXITUS.

De Josepho Goodborne de Longa Bennington quia ipse non comparuit ad hanc Sessionem &c. xs.

Thomas Wells de Hale Parva waterman pro instando quendam enginum vocatum a Clow (in Skerbeck Quarter<sup>1</sup>) inter Kesteven et Holland & emergendum quasdam terras cuiusdam Annae Silson widow et aliarum personarum &c.

Page 303.

William Goodhall esquire, Thomas Ireland gentleman, [and] Richard Colcraft gentleman—jurauerunt ad sacramentum Ligeantie & Primacie &c.

RECOGNITIONES.

William Goodhall esquire.

\* Anthonius Todd de Swinstead in xli. pro pace (relaxata per justiciarios!).

Sir Christopher Clapham.

- \* John Deane de Markett Deping in *xli.* ad respondendum.
- \* Thomas Mussen de eadem in *xli.* ad respondendum.
- \* Johannes Allingham de Uffington in *xli.* pro bono gestu. (d d d respit<sup>m</sup>).
- \* Robertus Sharpe de Deeping St Jacobi in *xli.* pro consimili.
- \* Henricus Smith de Market Deeping in *xli.* ad respondendum.

Mr Farmer.

- \* Robertus Oldgate (senior<sup>l</sup>) de Baston in *xli.* [et] \* Robertus Oldgate junior de eadem in *xli.*—pro pace versus Thomam Wilcox. (Continued<sup>l</sup>).

Mr Savile.

John Killener de Hackonby in *xli.* ad respondendum. (d<sup>m</sup>).  
James Clay ad proseguendum.

Page 304.

CHRISTMAS SESSION APUD FOLKINGHAM. 1681.

Received then of William Hyde esquire the summe of six poundes for the Kings third part levyed vpon Thomas Heads & others for a conventicle by him and others held at Thurlby as appeares by the record of the conviction of the same persons I say received the said summe of six pounds.

By me William Willerton

Subvicecomite.

Allowed by the Court the summe of fiue shillings for recording & estreating this money &c. out of the informers money.

Ordered a warrant of good behaviour against William Everitt of Welby & Thomas Everitt his sonne.

Page 305.

SLEAFORD. CHRISTMAS 1681.

Sir Richard Carr.

- \* John Kirtland de Old Sleaford in *40li.* ad respondendum.
- Adjournata ad Stamford usque vicesimum diem Januarii proximi futuri &c.
- Sir Christopher Clapham sworne there to the oathes of allegiance & supremacy &c.

Page 306.

LINCOLNE  
KESTEVEN  
FOLKINGHAM  
CHRISTMAS  
1681

GENERAL SESSION OF THE PEACE, HELD AT  
FOLKINGHAM, 9 JANUARY 1681-2, BEFORE  
CHRISTOPHER CLAPHAM, KNIGHT, THOMAS  
HARRINGTON, LISTER TIGH, WILLIAM SAVILLE,  
WILLIAM GOODHALL AND EDWARD WEBBE,  
ESQUIRES.

INDICTAMENTA &C.

- 1 Johannes Thimbleby de Irnham generosus, 2. Katherina uxor eius, 3. Samuel Cade de eadem, 4. Johannes Drewry de eadem, 5. Katherina uxor eius, 6. Willelmus Drewry de eadem, 7. Edwardus Crunckhorne de eadem, 8. Anna uxor eius, 9. Thomas Ball de eadem, 10. Johannes Broxholme de eadem, 11. Elizabetha uxor eius,

12. Isabella Willowes de eadem, 13. Johannes Dent de eadem, 14. Willelmus Newton de eadem generosus, [et] 15. Maria uxor eius—quia . . . non accesserunt . . . ad ecclesiam suam parochialem . . . infra tres menses . . .

Page 307.

16 Robertus Drewry de eadem, 17. Maria Beetson de eadem, 18. Petrus Beetson de Bulby, 19. Katharina Browne de eadem, 20. Daniel Browne de eadem, 21. Thomas Wright de eadem, 22. Francesca uxor eius, 23. Ricardus Hewitt de eadem, 24. Thomas Walbancks de Hawthorpe, 25. Jacobus Walbanks de eadem, 26. Maria Greenbury de eadem, 27. Ricardus Clarke de Corby, 28. Maria uxor eius, 29. Ricardus Brookes de eadem, 30. Johannes Sympson de eadem, 31. Franciscus Mabson de eadem, & 32. Willelmus Mabson de eadem—pro consimili &c.

EXITUS NULLI.

FINES NULLI.

Page 308. DEFAULTA SUPER RECOGNITIONES &c.

De Johanne Allingham de Vffington quia ipse non comparuit ad hanc Sessionem ad respondendum pro seipso prout per recognitionem suam super se assumpsam. Ideo &c. *xli.* (exoneratus!).

De Johanne Killenor de Hackonby pro consimili &c. *xli.*

De Michaelae Wiles de eadem uno manucaptorum *vli.*

Page 309.

LINCOLNE  
KESTEVEN  
SLEAFORD  
CHRISTMAS  
1681

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 10 JANUARY 1681–2, BEFORE HENRY  
HERON, KNIGHT OF THE BATH, CHRISTOPHER  
NEVILLE, KNIGHT, AND WILLIAM LISTER,  
ESQUIRE.

INDICTAMENTA &c.

1 × Ricardus Smith de Walcott quia primo die Decembris anno regni Domini Caroli secundi Regis xxxiii<sup>o</sup> apud Timberland et Thorpe summam xxiiis. solidorum [*sic*] et *xd.* super eum legitime assessatam pro constabularii assessmento solvere neglexit et recusavit contra &c.

2 \* Vincentius Croft de Bassingham quia secundo die Novembris ult' pret' apud Bassingham predictam cum quodam tormento onerato pulvere sulphureo et glandinibus plumbeis ad quasdam columbas exoneravit et tres columbas ad tunc &c. occidit cepit et asportavit contra pacem domini Regis &c.

3 Thomas Dobs junior de Crofton (in parochia de Aunsby<sup>1</sup>) quia quinto die Septembris apud Crofton predictam fenum cujusdam Mathei Kirke ad valenciam 3s. *4d.* cum bestiis suis iniuste et illicite comedit et devoravit contra pacem &c.

Page 310.

4 Michaelis (Garratt<sup>c</sup>) (Stennit<sup>1</sup>) de (Heckington<sup>c</sup>) (Garrick<sup>1</sup>), *3d.*, [et] 5. \* Willelmus Collison de eadem, *6d.*—pro consimili ut Smith &c.

## EXITUS NULLI.

## FINE.

- × De Johanne Barraclough de South Kyne quia non comparuit ad respondendum Domino Regi de quibusdam contemptis &c. vis. viiid.

Vpon debate betwixt the churchwardens ouerseers of the poore & inhabitants of Nocton and Thomas Butler this day in Court concerning the mayntenance of one Anne Boston it is finally ordered & determined by the Court that the said Thomas Butler shall keep & mainteyne the said Anne Anne [*sic*] Boston according to a former agreement &c.

Page 311.

Christophier Clapham esquire, Samuell Gibson clerk, James Hyde gentleman, George Parish clerk, Peter Clarke clerk, [and] Jonathan Catalin clerk—sworne to the oathes of allegiance & supremacy &c.

## RECOGNITIONES.

Mr Tigh.

- \* Carolus Burton de Billingburgh in *xli.* pro bono gestu.
- \* Thomas Rest of Swinestead in *xli.* ad respondendum.
- Elizabeth Kerching ad prosequendum.
- Willelmus Brooksby ad prosequendum versus Elliner Davies (prosequendum<sup>m</sup>).
- Thomas Peake ad prosequendum versus William Williams (prosequendum<sup>m</sup>).
- \* Willelmus Gilliams de Swinestead in *xxli.* ad respondendum.
- Ricardus Vdall de Helpringham in *xli.* ad respondendum. (for Sleaford<sup>m</sup>).
- Jo. Booth ad prosequendum &c.

Sir Christopher Clapham.

- \* Francis Willcox de Baston in *xli.* pro bono gestu.
- \* Elizabeth Dennis de eadem in *xli.* pro consimili.
- \* Anna Johnson de Vffington in *xli.* pro boono [*sic*] gestu.
- \* Thomas Wright de Barholme in *xli.* ad respondendum.
- Thomas Baker de Deeping St James in *xli.* ad comparendum.
- James Smith de eadem in *vli.* ad comparendum.

Page 312.

- \* James Deale de Thurlby in *xli.* pro bono gestu.
- \* Richardus Deale de Wilsthorpe in *xli.* pro consimili.

Mr Goodhall.

Henricus Smith de Thurlby tayler in *xli.* ad prosequendum, (prosequendum<sup>m</sup>) ad prosequendum Alice Haddon et Anne Fletcher &c.

≡ Alice Haddon & Anne Fletcher in *xli.* (poore<sup>m</sup>).

24th April 1682.

Received then of William Hyde esquire the sum of two pounds nineteen shillings twopence for the Kings third part levied

upon William Bowman and others for a certaine conventicle  
whereof they stood convicted I say received—*2li. 19s. 2d.*

Per Willelmum Willerton

Sub Vicecomitem.

A pass to send Elliner Davis & Margaret Jones to their owne  
country.

- \* Robert Oldgate committed to custody for want of sewertyes  
for his good behaviour in affronting the Court. (*tenta de  
novo per se ipso in xxli.!*).

— Robertus Oldgate junior [et] — Anna Oldgate uxor Roberti  
Oldgate senioris—a warrant against them ad sectam  
Francisci Wilcox. (*Debet all fees!*). (*d d<sup>m</sup>*).

Page 313 [blank].

Page 314.

Thomas Merriton clerke. Edward Leavesly gentleman. John  
Royston.

Vincent Greene fine vis. viii*d*.

Memorandum. Ordered the old constables serve at Easter  
in all Kesteven.

#### RECOGNITIONES.

Sir H[enry] H[eron].

- \* Edward Browne de Heckington in *xxli.* ad respondendum.

- \* Willelmus Struggles de Heckington in *xli.* ad respondendum.

Mr Tigh.

Ricardus Vdall de Helprington [*sic*] in *xxli.* ad respondendum.  
(run away<sup>m</sup>).

Johannes Booth ad prosequendum Vdall.

- \* Robertus Bull de Heckington in *xli.* pro bono gestu.

- \* John Barnes of Houghham in *xxli.* (ad prosequendum<sup>e</sup>) pro  
pace.

Page 315 [blank].

Page 316.

LINCOLNE

KESTEVEN

BOURNE

EASTER

1682

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, 24 APRIL 1682, BEFORE CHRISTOPHER  
CLAPHAM, KNIGHT, WILLIAM HYDE, LISTER  
TIGH, WILLIAM GOODHALL AND DANIEL  
WIGMORE, ESQUIRES.

#### INDICTAMENTA.

- 1 \* Ricardus Dalby de Marston, [et] 2. \* Walter Lane de eadem—  
quia die capcionis &c. apud Syston in partibus et comitatu  
predictis summam 1*s.* 10*d.* super eos legitime assessatum  
pro relevacione militum mutilatorum et aliis Domini Regis  
necessariis serviciis &c. solvere recusavit [*sic*] contra &c.  
(debet<sup>m</sup>).
- 3 Johannes Clarke de Grantham generosus 3*s.* 3*d.* pro consimili  
&c.
- 4 Thomas Taverner de Braceborow, [et] 5. Thomas Tindall de  
eadem—quia existentes supra aetatem 16 annorum non

accesserunt ad ecclesiam suam parochialem per spatium trium dierum dominicorum contra formam statuti &c.

- 6 Robertus Towers de Swayton, 7. Johannes Towers de eadem, 8. Pricilla uxor Willelmi Worsley de eadem, 9. \* Willelmus Greene de Osburnby, [et] 10. \* Uxor eiusdem Willelmi Green—pro consimili.

Page 317.

- 11 Ricardus Newcome de Edenham pro detinendo vadia cujusdam Johannis Watson ad valenciam 18s. 6d.

#### ARRAINMENTA.

Margaretta Jones super arrainmentum suum cognovit indictamentum et crematur &c.

Elliner Davis super arrainmentum suum placitavit non culpabilis. Juratores dicunt quod est culpabilis. Crematur &c.

#### EXITUS.

- \* De Roberto Walleth de Aunby quia non comparuit ad hanc Sessionem &c. vis. viiid.

#### FINES.

De Johanne Beale de Baston pro quodam fine &c. soluto vicecomiti iis. vid.

Page 318.

LINCOLNE  
KESTEVEN  
SLEAFORD  
EASTER

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 25 APRIL 1682, BEFORE THOMAS  
HUSSEY, BARONET, CHRISTOPHER BERESFORD  
AND EDWARD WEBB, ESQUIRES.

1682

#### INDICTAMENTA.

- 1 Johannes Still de Washingbrough pro exonerando tormentum oneratum pulvere sulphureo et glandinibus plumbeis & quasdam columbas occidendo contra &c.
- 2 Idem Johannes Still pro exonerando tormentum predictum et occidendo quosdam lepores contra formam &c.
- 3 Willelmus Allen junior de Scawpwick pro retinendo quendam Carolum Mackinder in domo sua et incitando eum discedere e servitio suo contra &c.
- 4 Idem Willelmus Allen pro reddendo eidem Carolo Mackender plura vadia quam per statutum et ratas vadium allocata sunt per justiciarios contra formam statuti &c.
- 5 Thomas Gregge de South Hykam pro fensuris suis irreparatis inter vicinorum suorum terras et terras suas proprias per quod &c. ad graue nocumentum &c.

Page 319.

- 6 Thomas Waltham de Grantham ironmonger, 5s. 3d., 7. Johannes Smith de Grantham predicta hatter, 2s. 0d., [et] 8. Thomas Barnes de Sleaford Nova miller, 3s. 9d.—separales pecuniarum summas super eos legitime assessatas pro relevacione militum mutilatorum et pro aliis Domini Regis necessariis servitiis constabulario de Sleaford Nova predicta soluere recusauerunt contra formam &c.

## ARRAINMENTA &amp;C.

Ricardus Vdall de Helpringam super arrainmentum suum placitavit non culpabilis et posuit se. Juratores dicunt quod non est culpabilis nec fugit. Exoneratus &c.

EXITUS NULLI.

FINES NULLI.

Page 320.

BOURNE. RECOGNITIONES 1682.

MIDSUMMER.

Mr Goodhall.

- \* Anna Maxey de Swinstead in *xli.* ad respondendum.
- \* Anna Snart de eadem in *xli.* pro consimili.
- \* Maria Rest de eadem in *xli.* pro consimili.
- \* Elizabetha Wilson de eadem in *xli.* pro consimili.
- Ricardus Bagguley de Aunsby ad prosequendum } Frisby.
- Robertus Wallett in *xli.* ad prosequendum } (Continued<sup>m</sup>).

Mr Tigh.

- \* Mary Pell de Morton in *xli.* ad respondendum.
- \* Willelmus Walton de Witham super Montem in *xli.* pro bastardia (tenta de novo per Dan' Kitching, *xxli.*<sup>1</sup>).
- \* Elizabetha Tayler de Dunsby in *xli.* pro pace versus Mariam Pell.
- \* Willelmus Hopkin de Gunby in *xxli.* pro bono gestu.
- \* Thomas Lambert de eadem in *xli.* pro bono gestu.
- \* Willelmus Bradford de Gunby in *xli.* pro consimili.
- \* Johannes Holmes de Gunby in *xli.* pro consimili.
- \* Robertus Lambert de eadem in *xli.* pro consimili.
- ≡ Henricus Reeler de Hanthorpe (Rippingale<sup>1</sup>) in *xxli.* pro bastardia (Debet 2s.<sup>m</sup>) (tenta de novo Thoma Baker de Deeping St Jacobi & Thoma Reeler *xli.*<sup>1</sup>)

Mr Hyde.

- \* Margerea Hutton uxor Johannis Hutton de Baston in *xli.* pro bono gestu.
- \* Elizabetha Thacker uxor Nicholai Thacker de Bourne pro bono gestu.

Page 321. SLEAFORD SESSION. MIDSUMMER 1682.

Johannes Parker de Billingay sworn Cheife Constable for Langoe.

Mr Lister Armiger.

(Johannes Toms de North Rosby. Tenta de novo per Henricum Bell & Christopher Page de eadem in *xli.* apeece<sup>1</sup>).

Mr Lister Ar'.

Johannes Fowler ad prosequendum John Toms miller, [et] Johannes Pearson ad prosequendum Robert Mabbot. (prosequendum<sup>m</sup>).

- \* Robertus Mabbott de Navenby in *xli.* pro bono gestu.
- Thomas Bavin ad prosequendum Edwardum Hamond.
- \* Edwardus Hammond (de Harmston<sup>1</sup>) in *xli.* ad respondendum. (d<sup>m</sup>).

Mr Beresford.

- \* Ricardus Middleborow de Carlton Scrope in *xli.* pro bono gestu. (tenta de novo per Willelmum Thompson de eadem Thomam Smyth de eadem<sup>1</sup>).
- \* Maria Baker de Sleaford in [*blank*] pro pace versus Mary Pearson.

Sir R[ichard] Carre.

- \* Thomas Kenell de Aswarby in *xxli.* pro bono gestu. John Spencer ad prosequendum.

Memorandum—Ricardus Bonner junior (filius Richardi Bonner<sup>1</sup>) de Carlton Moreland pro pound breaking & rescous of severall goods &c.

Memorandum—Received of Wm Hyde esquire the summe of 1s. 6*d.* for part of the Kings moity levyed upon certaine persons for a conventicle by me

Ja. Hyde.

Page 322.

LINCOLNE	GENERAL SESSION OF THE PEACE, HELD AT
KESTEVEN	BOURNE, 10 JULY 1682, BEFORE WILLIAM
BOURNE	HYDE, WILLIAM GOODHALL AND DANIEL
MIDSUMMER	WIGMORE, ESQUIRES.
1682	

#### INDICTAMENTA.

- 1 Thomas Roiston de Halliwell, 2. Uxor eiusdem Thome, 3. Robertus Northen de eadem, 4. Uxor Roberti Parkins de eadem, 5. Uxor Ricardi Hackworth de eadem, [et] 6. Willelmus Mabson de Corby—quia . . . non accesserunt ad ecclesias suas parochiales per spacium trium dierum dominicorum . . .
- 7 Johannes Thimbleby de Irnham generosus, 8. Samuel Key de eadem, 9. Willelmus Newton de eadem generosus, 10. Johannes Drewry de eadem, 11. Edwardus Crunckhorne de eadem, 12. Isabella Willowes de eadem, 13. Johannes Broxholme de eadem, 14. Elizabetha Deacon de eadem, 15. Ricardus Clarke de Corby, 16. Ricardus Brookes de eadem, [et] 17. Willelmus Simpson de eadem—pro non accedendo ad ecclesias suas per spacium trium mensium contra formam &c.

Page 323.

- 18 Zacharias Walbancks de Hackonby, 19. Ricardus Garrat de eadem weaver, 20. Johannes Tinsley de eadem, 21. Elizabetha Quincey de eadem, 22. Robertus Towers de Swayton, [et] 23. Maria Barker de eadem—pro consimili ut Roiston &c.
- 24 Thomas Haddon de Witham super Montem pro detinendo vadia cuiusdam Thomae King ad valenciam *xiis. vid.*
- 25 Nicholas Berry de eadem pro consimili ad valenciam *xiis. vid.*
- 26 Johannes Ancell de Witham super Montem pro consimili ad valenciam *xiis. vid.*

## ARRAINMENTA NULLA &amp;C.

## EXITUS.

- \* De Thoma Thomlinson de Dunsby generoso quia non comparuit ad hanc sessionem ad inquirendum pro domino Rege super grandem inquisitionem sicut summonitus fuit. Ideo &c. xs.

De Johanne Merrydeth de Welby pro consimili defaulto super constabulariorum Juratam vis. viiid.

## FINES NULLI.

*Page 324.*

LINCOLNE  
KESTEVEN  
SLEAFORD  
MIDSUMMER  
1682

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 11 JULY 1682, BEFORE CHRISTOPHER  
NEVILLE, KNIGHT, WILLIAM LISTER AND  
CHRISTOPHER BERESFORD, ESQUIRES.

## INDICTAMENTA.

- 1 + Anna Bell de West Willoughby, 2. + Jona Wray de Fulbecke vidua, 3. Elizabetha Lumme de eadem, 4. Robertus Huddleston de eadem, [et] 5. + Johannes Hawley de Normanton—quia . . . non accesserunt ad ecclesias suas parochiales per spatium trium dierum dominicorum . . .  
6 + Edwardus Bunby de Potterhanworth, 7. + Johannes Bell de eadem, 8. \* Johannes Huggard de eadem, fin' sol' pauperibus, 9. ≡ Robertus Stennit de eadem, 10. ≡ Henricus Nutt de eadem, 11. + Alicia Johnson de eadem, 12. Johannes Johnson de eadem, 13. + Willelmus Bunby de Nocton, 14. + Ricardus Stanley de eadem, 15. + Ricardus Metherringham de eadem, 16. Esthera Watson de Donston, 17. Thomas Maultby de eadem, 18. Johannes Squire de Metherringham, [et] 19. Thomas Hummerston de eadem—pro consimili.

*Page 325.*

- 20 Matheus Archer de eadem, 21. Peter Huggard de eadem et 22. Susanna uxor eius—pro consimili.  
23 Willelmus Barker de Eagle, 24. ≡ Tymotheus Browne de Bassingham, 25. ≡ Thomas Browne de eadem, 26. ≡ Johannes Tayler de eadem, 27. Tymotheus Tayler de eadem, 28. + Jana Dawson de eadem, 29. Maria Smyth de eadem, 30. Maria Nicholson de eadem, 31. Maria Hanley de eadem, 32. \* Robertus Smyth de South Hykam, 33. \* Willelmus Simpson de eadem, 34. \* Johannes Tayler de eadem, 35. \* Georgius Bettison de eadem, 36. + Ricardus Prigeon de North Hykam, 37. + Willelmus Pridgeon de eadem, 38. Henricus Symonson de eadem, 39. Johannes Hill de eadem, 40. \* Georgius Pacey de Harmston, 41. + Johannes Sewell de Boothby, 42. + Johannes Hales de Haddington, 43. \* Alexander Johnson de Carlton Morland, 44. + Johannes Wade de

eadem, et 45. \* Thomas Rands de Auburne, 46. Johannes Gilbert de Ingoldsby, [et] 47. Johannes Storey de eadem—pro consimili.

Page 326.

- 48 + Thomas Hooton de Helpringham, 49. + Johannes Walker de eadem, 50. + Maria uxor eius, 51. Robertus Skellet de eadem, 52. Uxor eiusdem Roberti, 53. Edyn Petchell de eadem, 54. + Thomas Pryor de (eadem<sup>e</sup>), (Hale<sup>l</sup>), 55. Robertus Shelborne de South Kyme—pro consimili.
- 56 Juditha Simpson de Hough super montem, 57. Arthurus Langworth de Fulbeck, 58. Katherina uxor eius, 59. Johannes Robinson de eadem—pro consimili.
- 60 \* Jacobus Blumfeild de Bennington Longa quia vicesimo die Junii ult' pret' apud Westborow in partibus & comitatu predictis communem parcum pecuarium ibidem vi & armis fregit et intravit et unam vaccam ibidem captam et detentam pro dampnum faciendo ad tunc et ibidem cepit rescussit et ad largum posuit contra pacem domini Regis &c.
- 61 \* Thomas Lee de Bennington Longa quia ipse septimo die Julii ult' pret' apud Bennington predictam vi et armis &c. communem carcerem pecuarium ibidem fregit et unam equam coloris bay pretii xxs. de bonis ipsius Thome Lec captam et detentam pro dampno faciendo cepit abduxit rescussit et ad largum posuit contra pacem &c.
- 62 Thomas Bayley de Nocton quia ipse primo die Julii ult' pret' apud Nocton predictam sepes fensuras et januas suas versus communem agrum ibidem non fecit sed per longum tempus reparare neglexit ad graue nocumentum inhabitantium ac contra pacem &c.

Page 327.

- 63 \* Ricardus Bonner de Carlton in Morland junior pro consimili ut Blumfeild.

#### ARRAINMENTA.

Johannes Toms de North Rawsby super arrainmentum suum placitavit non culpabilis et posuit se. Juratores dicunt quod est culpabilis et nulla bona—petit librum legit et crematur &c.

#### EXITUS.

De Roberto Hearson de Cranwell quia non comparuit ad hanc Sessionem ad inquirendum pro domino Rege sicut summonitus fuit, vis. viiid.

#### FINES NULLI.

Page 328.

FOLKINGHAM. VENIRE FACIAS MIDSUMMER 1682.

- 1 Thomam Roiston de Halliwell. 2. Uxorem eiusdem Thomae, 3. Robertum Northen de eadem, 4. Uxorem Roberti Parkins de eadem, 5. Uxorem Ricardi Hackworth de eadem, 6. Willelmum Mabson de Corby &c., 24. \* Thomam Haddon

de Witham super Montem, 25. \* Nicholaum Berry de eadem, 26. \* Johannem Ancell de eadem.

## CAPIAS PASCHA 1682.

- 1 × Ricardum Dalby de Marston. 2. × Walterum Lane de eadem.  
 3. \* Johannem Clarke de Grantham generosum, promisit solvere assessmentum. 4. \* Thomam Taverner de Braceborow, fine sol' pauperibus. 5. Thomam Tindall de eadem (dead<sup>m</sup>). 6. Robertum Towers de Swayton. 7. Johannem Towers de eadem. 8. Priscillam uxorem Willelmi Worsley de eadem. 9. \* Willelmum Green de Osburnby. 10. \* Uxorem eiusdem Willelmi Greene. 11. Ricardum Newcome de Edenham.

## ALIAS CAPIAS CHRISTMAS '81.

- 1 Johannem Thimbleby de Irnham generosum. 2. Katherinam uxorem eius. 3. Samuelem Cade de eadem. 4. Johannem Drewry de eadem &c.

## Page 329. PLURIES CAPIAS MICHAELMAS '81.

- 1 Edwardum Wiley de Uffington. 5. Johannem Loe de eadem. 6. Franciscum Ley de eadem. 14. Elizabetham Middlebrooke de Spittlegate.

## MIDSUMMER 1681.

- 1 Robertum Hodgkin de Gunby. 6. \* Robertum White de Kirkby Underwood. 7. Johannem Thimbleby de Irnham generosum &c. 8. Samuelem Key de eadem. 9. Johannem Drwry [*sic*] de eadem. 10. Johannem Drewry de eadem. 11. Thomam Ball de eadem. 12. Johannem Broxholme de eadem. 13. Isabellam Willows de eadem. 14. Edwardum Crunckhorne de eadem. 15. Thomam Walbanks de eadem. 16. Jacobum Walbanks de eadem. 17. Elizabetham Austin de eadem. 18. Mariam Greenbury de eadem. 19. Johannem Leuin de eadem de eadem [*sic*] (Bulby<sup>d</sup>). 20. Willelmum Neuton de Irnham generosum. 21. Ricardum Hewitt de Bulby. Katharinam Browne de eadem. 22. Mariam Beetson de eadem. 23. Jeroam' Bertie de Lound armigerum. 24. Johannem Gunthorpe de Castle Bytham.

## Page 330. MIDSUMMER AD HUC '81.

- 25 Johannem Skeath de Manthorpe. 26. Elizabetham Middlebrook de Spittlegate.

## EASTER '81.

- 1 Hieronimum Bertie de Lound armigerum. 2. Franciscum Wright de Hawthorpe. 3. Willelmum Drewry de Irnham. 4. Isabellam Willows de eadem. 5. Mariam Greenbury de Hawthorpe. 6. Ricardum Clarke de Corby. 7. Ricardum Brookes de eadem. 8. Johannem Simpson de eadem. 9. Claydon Jolley de West Deeping generosum.

## CHRISTMAS '80.

- 5 \* Robertum White de Kirkby Underwood. 6. Robertum Towers de Swaton. 7. Jacobum Brand de eadem. 8. Mariam Barker de eadem widow. 9. Elizabetham Middlebrooke de Spittlegate. 10. Ellen Parkinson de Wesby. 11. Ricardum Parkinson de eadem. 12. Mariam Parkinson de eadem. 13. Mariam Rimmington de eadem.

## MICHAELMAS '80.

- 1 × Edwardum Harwood de Morton. 2. × Willelmum Booth de eadem. 3. × Thomam Rivelin de eadem.

Page 331.

- 4 Willelmum Jackson de Bulby. 5. Johannem Lewin de eadem.

## MIDSUMMER 1680.

- 8 Thomam Booth de Morton.

## EASTER '80.

- 1 Johannem Thimbleby de Irnham generosum. 2. Edwardum Simpson de eadem. 3. Thomam Walbanks de Hauthorpe. 4. Jacobum Walbanks de eadem. 5. Mariam Beetson de Bulby widow. 6. Katharinam Browne de eadem. 7. Katharinam Clarke de eadem. 8. Johannem Simpson de Corby. 9. Ricardum Brookes de eadem. 10. Jeronimum Bertie de eadem. 11. Francescam Cape de eadem widow. 12. Mariam Hunt de North Stoke. 13. Ellen Parkinson de Wesby. 14. Jacobum Dalby de Market Deeping. 15. Johannem Noble de Samford [*sic*]. 16. Johannem Bass de eadem. 17. Johannem Cheyney de eadem. 18. Johannem Wildbore de Glinton in comitatu Northampton. 19. Ricardum Stringer de Barnacke in comitatu predicto. 30. Thomam Baker de Deeping St Jacobi. 31. Josephum Woods de Manthorpe.

Page 332.

## CHRISTMAS '80.

Jacobum Hardwick de Bourne. Mariam Hunt de North Stoke. Willelmum Sutton de Paunton Parva. Edwardum Tompkin de Paunton Parva.

## RECOGNITIONES.

- \* Henricus Reeler de Hanthorpe in *xxli.* pro bastardia.  
 ≡ Willelmus Walton de Witham super Montem in *xxli.* pro consimili.

Mr Tigh.

- \* Susanna Fowler de Bourne in *xli.* ad respondendum.  
 \* Robert Fowler de eadem in *xxli.* ad respondendum.  
 \* Elizabetha Fouldington de eadem in *xxli.* ad respondendum.  
 (3s. 6d. in par<sup>me</sup>).  
 \* Tabitha Thorpe de Bourne predicta in *xxli.* pro consimili.  
 \* Amy Browne de Ropsley in *xli.* ad respondendum pro feloniam.  
 \* Henricus Tooken de Kirkby in *xxli.* pro pace versus H. Woods.  
 \* Willelmus Clay de Hackonby in *xxli.* pro bono gestu. (d d d<sup>cm</sup>).

Mr Wigmore.

- \* Alicia Cooke de Deeping St James in *xxli.* pro pace &c.

Captain Hyde.

- \* Thomas Ewin de Bennington in Holland butcher pro pace (received 17s. in part<sup>m</sup>).
- \* Willelmus Wiley de Baston in xxli. pro pace versus Eaet.
- \* Ellinor uxor eiusdem Willelmi pro consimili.

Page 333 [blank].

Page 334.

SLEAFORD. VENIRE FACIAS 1682. MIDSUMMER.

- 1 + Annam Bell de West Willowby. 2. + Jonam Wray de Fulbeck viduam. 3. Elizabethan Lumme de eadem. 4. Robertum Huldleston de eadem. 5. + Johannem Hawley de Norminton.

*Here are repeated the indictments of James Blumfeild and Thomas Lee of Long Bennington, of Thomas Bayley of Nocton and of Richard Bonner of Carlton in Moorland, numbered 60, 61, 62, 63 on pages 326 and 327 above.*

Page 335.

CAPIAS EASTER '82.

- 1 Johannem Still de Washingbrough. 2. Eundem Johannem Still. 3. Willelmum Allen juniorem de Scawick [*sic*]. 4. Eundem Willelmum Allen. 5. Thomam Gregge de South Hykam. 6. ≡ Thomam Waltham de Grantham ironmonger. 7. ≡ Johannem Smith de Grantham—cert' allocatur. 8. Thomam Barnes de Sleaford Nova miller.

CHRISTMAS '81.

- 3 Thomam Dobs junior de Aunsby. 4. Michalem Garrat (Stennit<sup>i</sup>) de (Hecington<sup>e</sup>) (Garwick<sup>l</sup>).

MICHAELMAS '81.

- 3 Willelnum Whitehead de North Scarle. 4. Willelmum Coddindington [*sic*] de eadem. 5. Thomam Browne de eadem. 10. Josephum Willes de Seaford [*sic*].

VENIRE FACIAS EASTER 1681.

- 1 \* Georgium Sharpe de Sleaford Nova. 2. \* Uxorem eiusdem Georgii. 3. \* Ricardum Spenser de eadem. 4. \* Ricardum Parks de eadem. 5. Robertum Shelborne de eadem. 7. Robertum Shewell de Wellingor.

MIDSUMMER '81.

- 1 Phillip Smith de Sleaford Nova. 2. Willelmus Farmery de eadem.

Page 336.

ALIAS DISTRINGAS CHRISTMAS 1680.

- \* Johannem Hastings de Ewerby et residui. (fals<sup>m</sup>).
- 3 Johannem Storey de Ingoldsby. 4. Saram uxorem eius. 5. Georgium Beshell de eadem. 6. Johannem Gilbert de eadem. 7. ≡ Willelmum Askew de Kelby. 8. Ganam [*sic*] uxorem eius. 9. Annum [*sic*] Hill de eadem. 10. Robertum Shlbourn [*sic*] de South Kyme generosum. 12. Mariam Baraclough de eadem (mort<sup>m</sup>).

## MIDSUMMER '80.

- \* Rogerum Scrimshaw de Longa Bennington. 8. ≡ Willelmum Askew de Kelby. 10. Philippum Easton de eadem. 11. Johannem Easton de eadem. 12. \* Thomam Rands de Awborne. 26. Widow Willis de eadem. 27. Thomam Browne de Skillinton. 28. Isabellam Holton de eadem. 29. Ricardum Cooke de Skillinthorpe. 30. Johannem Barrowes de eadem. 31. Elizabetham Badge de eadem. 33. Willelmum Rowden de Wisdy [sic]. 34. Johannem Onyon de eadem. 35. Georgiem [sic] Pacey de Harmston. 37. Johannem Hales de Haddington (mort<sup>m</sup>). 38. Isabellam Hudson de Basingham. 43. + Edwardum Sneath de Brant Broughton.

Page 337.

## EASTER '80.

- 8 Elizabetham Danam [*rectius* Dominam] Widdrington de Blanckney. 9. Elizabetham Cole de eadem. 10. Margeream Pinnington de eadem. 11. Jacobum Boulton de eadem. 12. Willelmum Woods de eadem. 13. Annam Hixon de eadem. 14. Saram Hixon de eadem. 15. Rebeccam Willson de eadem. 16. Francescam Howard de Donston widow. 17. Robertum Warriner de eadem. 18. Susannam Hawney de eadem. 19. Robertum Shelborne de South Kime generosum. 30. Elizabetham King de Aswarby. 31. Davidum Fogarthy de Scapwick. 32. Willelmum Allen de eadem. 33. Hugonem Allen de eadem. 36. Johannem Hales de Haddington (mort<sup>m</sup>), [et] 37. \* Pennelem Hales de eadem—fine sol' pauperibus.

## CHRISTMAS 1679.

- 2 Robertum Shelbourne de South Kime. 3. Moysem Heyney de Hecington. 4. + Thomam Pryer de eadem. 9. Juditham Simpson de Hough super Montem. 10. Annam Robson de Brandon. 11. Johannem Caborn de Billingham. 12. Willelmum Thacker de Dirrington.

Page 338.

Sir William York knt, John Newton esq., Richard Pell esq., Richard Smyth gent., Ciprian Thornton, Wm Thompson, Miles Long, George Christopher, George Fairfax, [et] John Tilson—sworne to the oathes.

## RECOGNITIONES.

In Curia.

≡ John Toms de North Rawsby in *xxli.* pro pace.

\* Richard Middlebrook de Carlton Scroope in *xli.* pro bono gestu.

Sir Henry Heron.

\* Willelmus Ireland de Heckington in *xli.* ad respondendum. (received 6s. 6d. in part<sup>l</sup>).

Mr Lister.

\* Richard Pacey de Harmston in *xli.* pro bono gestu.

Thomas Struggle de eadem ad prosequendum (prosequendum<sup>m</sup>).

In Curia.

Alexander Cilson de Helpringam in *xxli.* pro bono gestu.

Richardus Udall de eadem *xli.* [et] Petrus Woods de eadem *xli.*—pro consimili.

Page 339.

LINCOLNE	GENERAL SESSION OF THE PEACE, HELD AT
KESTEVEN	FOLKINGHAM, 2 OCTOBER 1682, BEFORE
FOLKINGHAM	THOMAS HARRINGTON, LISTER TIGH, WILLIAM
MICHAELMAS	GOODHALL & EDWARD WEBB, ESQUIRES.

1682

INDICTAMENTA.

- 1 \* Thomas Ewin de Bennington, 2. × Willelmus Wiley de Baston, [et] 3. × Elliner uxor eiusdem Willelmi—pro riotoso insultu & affraia in et super Elizabetham uxorem Ricardi Eat contra pacem &c.
- 4 \* Edmundus Ding de Pointon quia existens custos communis taberne pro hospitacione viatorum secundo die Octobris anno regni Caroli secundi xxxiiii<sup>o</sup> apud Pointon predictam separales peregrinos hospitare in necessitate recusavit contra &c.
- 5 \* Johannes Blanckney de Brigge End quia ipse vicesimo quarto die Septembris ult' pret' apud Horblyn communem carcerem pecuarium fregit et tres equos legitime captos et ibi detentos liberavit et ad largum posuit contra pacem &c.
- 6 \* Johannes Baldwin de Horblyn predicta pro consimili &c.
- 7 Zacharias Walbancks de Hackonby, 8. \* Johannes Tinsley de eadem, [et] 9. Elizabetha Quincey de eadem—pro non reparando ad ecclesias per spatium trium dierum dominicorum contra pacem &c.

Page 340.

- 10 \* Daniel Browne de Stenfeild, 11. \* Willelmus Greene de Osburnby, [et] 12. Ricardus Garratt de Hackonby—pro consimili &c.
- 13 Willelmus Sutton de Paunton, 14. Maria uxor eius, 15. Elizabetha uxor Johannis Cook de eadem, [et] 16. Elizabetha Middlebrook de Spittlegate—pro consimili &c.
- 17 \* Franciscus Wilcocks de Baston quia xx<sup>o</sup> die Augusti ult' pret' et diversis aliis diebus et vicibus tam antea quam postea apud Baston predictam communis est transgressor in agris eiusdem villae ad dampnum aliorum inhabitantium ac contra pacem &c. (submitted fine 1s.<sup>4</sup>)
- 18 Johannes Lord de Bourne, 19. Thomas Lord de North Stoak, [et] 20. Maria Lord de eadem—pro corruptum periurium prout per indictamentum.

ARRAINMENTA.

Robertus Frisby de Aunsby super arrainmentum suum placitavit non culpabilis et posuit se. Juratores dicunt quod est culpabilis ad valenciam *xd.* flagellatur.

Nicholaus Lemmon de Corby super arrainmentum suum  
cognovit indictamentum flagellatur &c.

Page 341.

EXITUS.

De Johanne Hincks de Pointon quia non comparuit ad hanc  
Sessionem ad inquirendum super grand' inquisitionem  
sicut summonitus fuit Ideo &c. xs. (estreat<sup>m</sup>)

FINES NULLI.

Page 342.

LINCOLNE

GENERAL SESSION OF THE PEACE, HELD AT

KESTEVEN

SLEAFORD, 3 OCTOBER 1682, BEFORE CHRISTOPHER

SLEAFORD

NEVILLE, KNIGHT, AND CHRISTOPHER BERESFORD,

MICHAELMAS

ESQUIRE.

1682

INDICTAMENTA.

- 1 \* Willelmus Patman de North Hykam, [et] 2. \* Johannes  
Patman de eadem—quia primo die Septembris ult' pret'  
apud North Hykam unum equum ibidem captum pro  
dampnum faciendo in ducendo ad communem carcerem  
pecuarius rescussit [*sic*] et ad largum posuit [*sic*] contra  
pacem &c.
- 3 \* Ricardus Cooke de Dunston quia primo die Septembris ult'  
pret' apud Dunston predictam communis est transgressor  
in agris eiusdem villae ad dampnum aliorum inhabitantium  
ac contra &c. (submitted fine ijs. vjd.<sup>1</sup>)
- 4 \* Edmundus Read de Gelston, [et] 5. \* Willelmus Mosse de  
Westborow—quia existentes Juratores super grand'  
inquisitionem discesserunt a sociis suis ante redicionem  
veredicti sui in contemptu domini regis ac contra &c.
- 6 Henricus Featley de Sleaford Nova generosus quia vicesimo  
octavo die Septembris ult' pret' apud Sleaford predictam  
vigilias suas nocturnas agere neglexit contra pacem.

Page 343.

ARRAINMENTA.

Katherina Cilson de Helpringham super arrainmentum suum  
placitavit non culpabilis. Juratores dicunt quod est  
culpabilis flagellatur &c.

Susanna Ireland similiter placitavit non culpabilis.  
Juratores dicunt quod est culpabilis flagellatur &c.

EXITUS.

De Ricardo Kirke de Ashby de la Land quia non comparuit  
ad hanc Sessionem sicut summonitus fuit Ideo &c., vis.  
viii*d*.

FINES.

De Georgio Dickonson de Billingay pro quodam fine super  
eum posito soluit vicecomiti in Curia iis. vi*d*.

Page 344.

FOLKINGHAM. (Michaelmas<sup>e</sup>) CHRISTMAS 1682.

- \* Willelmus Clay de Hackonby in xli. pro pace &c.

Captain Hyde.

- \* Marnaducus Smyth de Deeping St Jacobi *xli.* pro pace, [et]
- \* Susanna (uxor eius<sup>e</sup>) (Smyth<sup>l</sup>) de eadem pro consimili—  
versus Bever.
- \* Robertus Charity de Lound in *xli.* pro pace &c.

Captain Harrington.

- \* Franciscus Newton de Grimsthorpe labourer in *xxli.* pro bono gestu.
- \* Robertus Smith de Aslackby in *xli.* pro bono gestu. (Debet 3s. 6d.<sup>m</sup>)

Mr Tigh.

- \* Thomas Hare de Summerby in *xli.* ad respondendum.
- Willelmus Buckbery de Rippingalead prosequendum Robertum Watson. (prosequendum<sup>m</sup>)
- \* Jacobus Pearson de Freckingham in *xli.* pro pace.

Sir Christopher Clapham.

- \* Joseph Allam de James Deeping in *xli.* pro pace.
- \* Robertus Adcock de Bourne pro consimili.
- \* Thomas Fletcher de eadem in *xli.* pro consimili.
- \* Elizabetha Roberts de Bourne in *xli.* pro consimili.
- \* Michaelis Roberts de Bourne pro consimili.
- \* Henry Smyth de (Bourne<sup>e</sup>) (Market Deeping<sup>l</sup>) in *xli.* pro consimili (exoneratus<sup>m</sup>).
- William Hawkins ad prosequendum.

Page 345.

Captain Wigmore.

- \* John Spinks senior de Baston in *xli.* ad respondendum.
- \* Johannes Spinks junior de eadem in *xli.*
- John Rollinson de Ropsley.

Page 346.

SLEAFORD CHRISTMAS 1682.

in Curia.

- \* Alexander Cilson de Helpringham in *xxli.* pro bono gestu.

William Lister armiger.

- ≡ Christopherus Martin de Timberland in *xxli.* ad respondendum.
- Johannes Wilson ad prosequendum.

Sir H. Heron.

- \* Johannes Slan de Hale magna in *40li.* pro bono gestu. (still [sic] afternoone per Georgium Garwell et Johannem Smyth in *xxli.* uterque<sup>l</sup>). (assias<sup>m</sup>).

Mr Berisford.

- \* Elizabetha Eves de Lessingham in *xli.* pro pace.
- \* Johannes Gentle de Blanckney in *xli.* pro pace.
- Ricardus Fowler ad prosequendum.
- \* John Holmes de Ruskington in *xxli.* pro pace.
- \* Isaak Holmes de eadem in *xxli.* pro consimili.
- \* Johannes Dalton de Ruskington in *xxli.* pro pace.
- \* Walter Lane de Marston in *xxli.* pro pace.

Ordered that Anne Boston (brought from Billingsay) & formerly

settled by order of Session with Thomas Butler at Nocton shall now be reconveyed backe to be settled at Billingay aforesaid the said order being quashd in the Crowne office for the illegality and insufficiency thereof.

Page 347.

LINCOLNE	GENERAL SESSION OF THE PEACE, HELD AT
KESTEVEN	FOLKINGHAM, 8 JANUARY 1682-3, BEFORE
FOLKINGHAM	ROBERT MARKHAM, BARONET, LISTER TIGH
CHRISTMAS	AND DANIEL WIGMORE, ESQUIRES.
1682	INDICTAMENTA.

- 1 Johannes Blanckney de Brigg End labourer quia die capcionis huius inquisitionis apud Horblyn in partibus et comitatu predictis summam iis. vid. super eum taxatam versus relevacionem militum mutilatorum et pro aliis dicti domini Regis necessariis servitiis in onere cuiusdam Johannis Brittainne constabularii de Horblin solvere recusavit contra formam &c.
- 2 Ricardus Garratt de Hackonby, 3. Zachariah Walbanks de eadem, 4. Elizabetha Quincey de eadem, 5. Daniel Browne de Stenfeld, 6. Robertus Towers de Swayton, 7. Priscilla Towers de eadem, 8. Johannes Towers de eadem, 9. Anne uxor Willelmi Rusler de eadem, et 10. Susanna uxor Jacobi Brand de eadem—quia . . . non accesserunt ad ecclesias suas parochiales per spatium trium dierum dominicorum . . .
- 11 Willelmus Carrington de Swayton pro detinendo vadia cujusdam Anne Forman ad valenciam vs. viid.

Page 348.

- 12 Maria Pell de Rippingale pro detinendo vadia cujusdam Alicie Calladine existentia summam decem solidorum.
- 13 \* Johannes Hills de Morton miller quia ipse septimo die Januarii ult' pret' existente die dominico cererem diversorum hominum cum molendino suo ventoso discruciauit, ad malum exemplum aliorum ac contra formam &c. (2s. 6d. sol' vic<sup>4</sup>)
- 14 Johannes Speet de Burton Coggles (mortuus<sup>m</sup>), [et] 15. Maria uxor eius—pro consimili ut Garrat.
- 16 \* Johannes Rollison de Ropsley pro negligendo officium suum ut constabularius in non exequendo quoddam warrantum in contemptu domini Regis ac contra pacem &c. Fine xxs. committed sol' vic'.
- 17 Maria Hunt de North Stoake vidua, 18. \* Aquila Wildbore de Spittlegate, fine sol' pauperibus, (debet<sup>mc</sup>), 19. \* Thomas Hare de eadem, fine sol' pauperibus, (debet<sup>tm</sup>), 20. Elizabetha Middlebrook de eadem, 21. Ricardus Parker de Ropsley, 22. Johannes Middleton de Humby Parva, 23. Valentinus Tribute de eadem, 24. \* Johannes Holmes de Deeping St Jacobi, 25. \* Johannes Ratcliffe

de eadem, 26. \* Ricardus Heynes de eadem, 27. \* Anthonius Holmes de eadem, 28. \* Gregorius Holmes de eadem, 29. \* Thomas Bayley iunior de eadem tanner, 30. Vidua Hooke de eadem, [et] 31. Vidua Jackson de eadem—quia . . . non accesserunt ad ecclesias suas parochiales per spatium trium dierum dominicorum . . .

Page 349.

- 32 \* Willelmus Letts de Ancaster victualler quia die capcionis hujus inquisitionis apud Wilsford sepes fossas et fensuras versus communem agrum eiusdem ville reparare neglexit ad graue nocumentum ac contra &c. (3s. 4d. fine sol' vic'!).
- 33 Johannes Skeath de Manthorpe, [et] 34. Elizabetha Sheppard de North Witham—pro consimili ut Maria Hunt &c.
- 35 Franciscus Mabson de Corby, 36. Johannes Sympson de eadem, 37. Ricardus Brookes de eadem, 38. Ricardus Clarke de eadem, 39. Johannes Thimbleby de Irnham, 40. Samuelis Key de eadem, 41. Willelmus Newton de eadem, 42. Thomas Ball de eadem, 43. Isabella Willows de eadem, 44. Elizabetha Deacon de eadem, 45. Johannes Broxholme de eadem, 46. Thomas Wright de Bulby, 47. Ricardus Hewitt de eadem, 48. Katharina Browne de eadem, 49. Maria Beetson de eadem, 50. Jacobus Walbanks de Hawthorpe, [et] 51. Thomas Walbanks de eadem—pro recusando 3 menses.

#### ARRAINMENTA.

Robertus Watson de Rippingale super arrainmentum cognovit indictamentum et tiagellatur.

Page 350.

#### FINES.

- \* De Johanne Rollison de Ropsly pro quodam fine super eum posito pro quodam contemptu adhuc insoluto xxs. (sol' vic'!). De Francisco Wilcox de Baston pro consimili, vicecomiti sol' is.

#### EXITUS.

De Willelmo Everitt de Humby quia non comparuit ad hanc Sessionem super grand' inquisitionem sicut summonitus fuit Ideo &c. xs.

De Marco Barrowes de Bulby pro consimili super constabulariorum juratam xs.

De Roberto Hinson de Carlby pro consimili xs.

Page 351.

LINCOLNE  
KESTEVEN  
SLEAFORD  
CHRISTMAS

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 9 JANUARY 1682-3, BEFORE LISTER  
TIGH, CHRISTOPHER BERESFORD AND DANIEL  
RHODES, ESQUIRES.

1682

#### INDICTAMENTA &C.

- 1 \* Robertus Newball de Claypoole & 2. \* Ricardus Clayton de eadem—quia ipsi secundo die Januarii anno regni domini Regis nunc 34<sup>o</sup> supradicto apud Stubton in partibus et

comitatu predictis cum quibusdam canibus vocatis Grey Houndes quosdam lepores ceperunt et occiderunt non existentes qualificati secundum formam statuti &c.

- 3 \* Isaac Cooke de Walcott Waterside quia die capcionis hujus inquisitionis apud Martyn summam *xd.* pro constabularii assessmento super eum legitime assessatam constabulario de Martyn predicta solvere recusavit contra formam statuti &c.
- 4 Arthurus Langworth de Fulbeck generosus, 5. Johannes Robinson de eadem, 6. Elizabetha Robinson de eadem (spinster<sup>e</sup>) (vidua<sup>l</sup>), 7. Maria Robinson de eadem spinster, 8. Thomas Ashby de Hougham, 9. Bridgetta Booth de eadem vidua, 10. Jana Read de eadem spinster (mortua<sup>m</sup>)—quia . . . non accesserunt ad ecclesias suas parochiales . . . infra tres menses . . .

Page 352.

- 11 Phillipus Easton de Boultham, 12. Willelmus Barker de Eagle, 13. Francesca Howard de Donston vidua, 14. Robertus Warner de eadem, 15. Susanna Hawney de eadem, 16. Ursula uxor Georgii Dawson de eadem, 17. Willelmus dominus Widdrington de Methr[ingham]. 18. Thomas Herne de eadem, 19. Elizabetha Tayler de eadem, 20. Rebecca Wilson de eadem, 21. Davidus Fogarthy de Scawpwick, 22. Willelmus Manning senior de eadem, 23. Willelmus Manning junior de eadem, 24. Robertus Hallifeild de eadem, 25. Hugo Allen de eadem, 26. Henricus Robinson de eadem, 27. Ellen Sutton de Walcott, [et] 28. Johannes Codd de Billingay—pro consimili &c.
- 29 Johannes Dawbney de Potter Hanworth, 30. \* Robertus Stennit de eadem, 31. \* Johannes Hugwood de eadem, 32. Henricus Nutt de eadem, 33. Thomas How de eadem, 34. Thomas Maultby de Donston, 35. Esthera Watson de eadem, 36. Arabella Jackson de eadem, 37. Johannes Squire de Metheringham—quia . . . non accesserunt ad ecclesias parochiales per spatium trium dierum dominicorum . . .

Page 353.

- 38 Thomas Hummerston de eadem, 39. Petrus Hugwood de eadem, 40. Matheus Archer de eadem et 41. Willelmus Cartwright de eadem—pro consimili &c.

#### ARRAINMENTA.

Christopherus Martin de Timberland super arrainmentum suum cognovit indictamentum—petit librum legit et crematur &c.

Christopherus Langton de Long Ledenham super arrainmentum suum cognovit indictamentum et flagellatur usque corpus est sanguineosum et tunc exoneratur.

## EXITUS.

De Roberto Atkinson de Durrington quia non comparuit ad hanc Sessionem sicut summonitus fuit Ideo &c. vis. viiid.

De Thomas Hurton de Awburne pro consimili xs.

*One line deleted.*

## FINES.

De Thoma Harmston constabulario de Doddington pro quodam contemptu. insol' xxs.

De Willelmo Bennitt pro quodam fine soluto vicecomiti vs.

*Page 354.*

RECOGNITIONES. BOURNE (Midsummer<sup>o</sup>) (EASTER<sup>l</sup>) 1683.  
Assisas prosequendum.

Mr Tigh.

\* Thomas Snow de Humby parva xxli. ad respondendum (sol<sup>m</sup>).

\* Thomas Crane de Dyke in in [sic] xxli. ad respondendum (sol<sup>m</sup>).

\* Valentinus Ingram de Spittle Gate xli. pro pace.

\* Ezekiel Barton de eadem in xli.

Mr Goodhall.

\* Thomas Haddon de Wytham super Montem in xxli. ad respondendum.

\* Johannes Moysey de Witham super Montem in xli. pro bono gestu.

Captain Harrington.

\* Johannes Allen de Bassingthorpe in xli. pro pace. (Mr Rastall to pay<sup>m</sup>).

Mr Goodall.

Francesca White de Post Wytham ad respondendum (d<sup>m</sup>) (2s. in part. Mrs Lacey to pay the rest<sup>m</sup>).

Richard Bayley, Robert Waterfall, John Michaelson ad dandum [sic]. (d<sup>m</sup>).

William Glenne ad prosequendum ad Kelsoe [sic] (prosequendum<sup>m</sup>).

Wm Osborne of Braceborow for maymd soldiers. Mr Berisford for the Marshalsey.

Captain Hyde.

Johannes Keath de Markett Deeping in xxli. pro bono gestu, scire facias made twice ag<sup>t</sup>. him. (d<sup>m</sup>).

*Page 355.*

SLEAFORD. EASTER '83.

\* William Sysson de Hale Magna in xli. ad respondendum pro pace.

Mr Berisford.

\* Thomas Kirton de Fulbeck in xli. ad respondendum.

\* Nicholaus Newball de Caythorpe in xli. ad respondendum.

\* Robertus Costall de Marston in xli. pro bono gestu.

\* Robertus Huddleston de Fulbecke in xli.

Johannes Listless de Fenton pro incrochiando super communem de Wellingore cum fensura fenum suum &c.

Anne Robson de Hale magna in xxli. ad respondendum.

Page 356.

LINCOLNE  
KESTEVEN  
BOURNE  
EASTER  
1683

GENERAL SESSION OF THE PEACE, HELD AT  
BOURNE, 16 APRIL 1683, BEFORE THOMAS  
HARRINGTON, WILLIAM HYDE, LISTER TIGH  
AND WILLIAM GOODHALL, ESQUIRES.

INDICTAMENTA.

- 1 Zacharias Walbanckes de Hackonby, 2. \* Daniel Browne de Stenfeild, 3. Ricardus Garratt de Hackonby, 4. Elizabetha Quincey de eadem, 5. \* Robertus Towers de Swayton, [et] 6. Susanna Brand de eadem—quia non accesserunt ad ecclesiam suam parochialem . . . infra tres dies dominicos . . .
- 7 \* Thomas Cony de Bassingthorpe, [et] 8. \* Susanna Cony uxor eius—pro illaqueando lepores contra &c.
- 9 Daniel Pitts de Castle Bytham, [et] 10. Johannes Gunthorpe de eadem—pro consimili ut Walbancks &c.
- 11 Maria Hunt de North Stoake, [et] 12. Elizabetha Middlebrook de Spittlegate—pro consimili.

EXITUS.

De Thoma Wilcox de Castle Bytham quia non comparuit &c. xs.

Page 357.

De Johanne Seagrave de Burthorpe xs.

FINES.

De Johanne Allen de Bassingthorpe pro quodam fine &c. soluto vicecomiti xiid.

Page 358.

SLEAFORD  
EASTER  
1683

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 17 APRIL 1683, BEFORE WILLIAM  
LISTER AND CHRISTOPHER BERESFORD,  
ESQUIRES.

INDICTAMENTA.

- 1 \* Willelmus Letts de Ancaster, [et] 2. \* Stephanus Jackson de Bennington Longa—quia ipsi in omnibus sex diebus littime [*sic*] appunctis pro reparacione Regiarum viarum defaultum fecit [*sic*] contra &c.
- 3 \* Thomas Kirton de Fulbecke, [et] 4. Robertus Huddleston de eadem—pro custodiendo quosdam venaticos vocatos mungrells non habentes terras et tenementa secundum formam statuti &c.
- 5 Idem Thomas Kirton, [et] 6. Idem Robertus Huddleston—pro occidendo lepores cum canibus predictis contra &c.
- 7 \* Johannes Fletcher de North Rawsby pro consimili ut Letts uno die &c. (fine 1s.<sup>d</sup>)
- 8 \* Franciscus Lyon de Rowston pro ingrossando catalla &c.
- 9 \* Johannes Faulkner de Anwicke pro non reparando fensas suas ad graue nocumentum &c.

- 10 Elizabetha domina Widdrington de Evedon, 11. Jacobus Boulton de eadem generosus, [et] 12. Johannes Enderby de Dirrington generosus—pro non veniendo ad ecclesias parochiales ad aliquod tempus infra tres menses &c.

Page 359.

- 13 Thomas Earne de Blanckney, 14. Henricus Robinson de Scawpwicke, [et] 15. Robertus Hallifeild de eadem—pro consimili.
- 16 \* Johannes Listless de Fenton pro incrochiando super communem de Wellingore &c.

EXITUS NULLI.

FINES NULLI.

Page 360. RECOGNITIONES BOURNE MIDSUMMER 1683.

Sir H. Heron.

- \* Robertus Willey de Bourne generosus in 40*li.* pro bono gestu. William Woodworth de Billingsborow ad prosequendum Wilson et Brinkly. (prosequendum<sup>m</sup>)
- \* Abraham Wilson de Burthorp in *xli.* ad respondendum.

Mr Tygh.

- Alicia Fish de Morton in *xxli.* ad respondendum. (d<sup>m</sup>).
- \* Gabriel Andrews de Threckingham in *xxli.* pro bono gestu (pro bastardia Ann Walker<sup>1</sup>). (tenta per Robertum Clarke &c. de Marston *xxli.*<sup>1</sup>) (sol<sup>m</sup>).
- \* Edward Catlin de Syson in *xli.* pro pace versus Gorden.

Page 361. SLEAFORD. MIDSUMMER 1683.

Mr Lister.

- \* Hen. Bate de Branswell in *xxli.* pro comparendo et respondendo (tenta de novo per Jo. Crow et Jo. Spaine de eadem *xli.*<sup>c1</sup>) (d d d <sup>1</sup>) (Debet 8s. 6*d.*<sup>m</sup>)

Sir H[enry] H[eron].

- \* Thomas Cooke de Hale magna in *xli.* ad respondendum. Christian Gibson ad prosequendum. (tenta de novo per Jo. Crow et Jo. Spaine *xli.*<sup>1</sup>)
- Christiana Gibson de Hale Magna in *xli.* pro pace (d d<sup>m</sup>).

Page 362.

LINCOLN  
KESTEVEN  
BOURNE  
MIDSUMMER  
1683

GENERAL SESSION OF THE PEACE, HELD AT BOURNE, 9 JULY 1683, BEFORE THE MOST NOBLE ROBERT, EARL OF LINDSEY, GREAT CHAMBERLAIN OF ENGLAND, JOHN OLDFEILD, BARONET, THOMAS HARRINGTON, LISTER TIGH, WILLIAM GOODHALL, DANIEL WIGMORE AND THOMAS SHUTTLEWORTH, ESQUIRES.

INDICTAMENTA.

- 1 \* Willelmus Dadsley de Bourne quia septimo die Julii anno regni dicti domini nostri Caroli secundi xxxv<sup>o</sup> vi et armis &c. apud Bourne predictam communem carcerem pecuarium prenobilis Johannis Comitis Exoniensis fregit et intravit et unam equam pretii quadraginta solidorum de bonis et

catallis suis propriis ibidem captam et detentam pro damno faciendo vi et armis injuste et illicite cepit rescussit et ad largum posuit contra pacem &c. (Fine 1s. 4d. sol' vic<sup>ty</sup>).

2 × Thomas Addison de Langtofte, 3. × Johannes Clarke senior de eadem 2, [et] 4. × Edwardus Waring de eadem—quia ipsi die capcionis hujus inquisitionis apud Langtoft predictam separales pecuniarum summas de inhabitantibus ejusdem villae in manibus suis injuste et illicite detinuerunt ad dampnum residuorum inhabitantium &c.

5 Johannes Ganthorpe de Castle Bytham, 6. Daniel Pitts de eadem, 7. Johannes Skeath de eadem, [et] 8. Elizabetha Shepherd de North Witham—pro non veniendo ad ecclesias parochiales per spatium trium dierum dominicorum contra &c.

*Page 363.*

9 Zacharius Walbancks de Hackonby, 10. Danielis Browne de Stenfeild. 11. Richardus Garratt de Hackonby, 12. Elizabetha Quincey de eadem, 13. \* Johannes Ives de Bourne, 14. \* Johannes Willey de eadem, 15. \* Robertus Ives de eadem, 16. \* Johannes Ives junior de eadem, 17. Dan. Sherman de Morton, [et] 18. Elizabetha uxor Thomae Brand de Folkingam—pro consimili &c.

19 Johannes Middleton de Humby Parva, 20. ≡ Valentinus Trevitt de eadem, 21. — Ricardus Parker de Ropsley, (committed<sup>m</sup>), sent to Lincoln, 22. Maria Hunt de North Stoake, 23. Willelmus Sutton de Paunton Parva, 24. Maria uxor eius, 25. Elizabetha uxor Johannis Cooke de eadem, [et] 26. Elizabetha Milddebrooke de Spittlegate widow—pro consimili &c.

#### ARRAINMENTA.

Alicia Fish de Bourne super arrainmenta sua placitavit culpabilis et cognovit indictamentum &c. flagellatur.

De Johanne Gunthorpe de Castle Bytham quia non comparuit ad separales Sessiones ultimas preteritas Ideo &c. ad huc insol' xxs.

#### FINES NULLI.

*Page 364.*

LINCOLNE  
KESTEVEN  
SLEAFORD  
MIDSUMMER  
1683

GENERAL SESSION OF THE PEACE, HELD AT  
SLEAFORD, 10 JULY 1683, BEFORE CHRISTOPHER  
NEVILL, KNIGHT, WILLIAM LISTER AND  
CHRISTOPHER BERISFORD, ESQUIRES.

#### INDICTAMENTA.

1 \* Johannes Lindsley de North Rawsby pro occidendo lepores cum retibus et aliis enginis non habens terras et tenementa nec aliter qualificatus secundum statutum &c. submitted fine 2s. 6d.

- 2 Johannes Walker de Helpringham yeoman et 3. Maria Walker uxor eius—quia . . . non accesserunt ad ecclesiam parochialem . . . infra tres dies dominicos . . .
- 4 \* Thomas Shores de Sutton in parochia de Beckingham, [et] 5. \* Johannes Hutton de Brant Broughton—pro falso foliando lanae [*for false packing of wool*] &c.
- 6 \* Willelmus Askew de Kelby yeoman, [et] 7. \* Jana Askew uxor eius—pro consimili ut Walker.
- 8 Widow Panne de Branswell, 9. + Robertus Grimball de South Rawsby, [et] 10. Johannes Enderby de Dirrington generosus—pro consimili.
- 11 Johannes Listless de Fenton constabularius eiusdem villae pro negligendo officium suum &c.

*Page 365.*

- 12 Maria Frotheringham de Welbourne widow, 13. Johannes Frotheringham de eadem, 14. Josephus Frotheringham de eadem, 15. Daniel Brittain de eadem, (uxor<sup>1</sup>), 16. Georgius Good de Navenby, (uxor<sup>1</sup>), 17. \* Maria Thorpe de Boothby, 18. Tymotheus (Brittain<sup>e</sup>) (Browne<sup>1</sup>) de Bassingham, 19. Johannes Tayler de eadem, 20. Margaretta Woods de eadem widow, 21. Anna Dawson de eadem, 22. Maria Parkin de eadem, 23. Thomas Rands de Awburne generosus, 24. Maria uxor Willelmi Gunn de eadem, 25. Juditha uxor Roberti Bavin de eadem, 26. Ricardus Cooke de Skellingthorpe, 27. Ricardus Cooke junior de eadem, 28. Maria uxor eius, [et] 29. Jona Chamberlaine de eadem—pro consimili ut Walker.
- 30 Johannes Richardson de Hough super Montem, 31. Johannes Pullen de eadem, 32. Johannes Petchill de Carlton Scroope, 33. Johannes Whalley de Normanton, 34. Johannes Vorley de eadem, 35. Johannes Killingley de Willowby West, 36. Benjamin Roper de eadem, 37. Ricardus Gunby de Sudbrooke, 38. Elizabetha Dawson de Ledenham, 39. Thomas Robinson de Brant Broughton, 40. Stephanus Hall de eadem, 41. + Edwardus Sneath de eadem, 42. + Thomas Everitt de West Willowby—pro consimili.

*Page 366.*

- 43 Jana Langton uxor Georgii Langton de eadem, 44. Willelmus Rollison de Stragglethorpe, [et] 45. Thomas Seckers de Hougham—pro consimili.
- 46 Robertus Jessup de Heighington, 47. Edwardus Bunby de Potter Hanworth, 48. Thomas How de eadem, 49. Johannes Bell de eadem, 50. — Henricus Nutt de eadem, 51. Johannes Dawbney de eadem, 52. \* Robertus Stennitt de eadem, (a warrant<sup>e</sup>), fine sol' pauperibus, 53. — Peter Hogwood de Metherringam, 54. Matheus Archer de eadem, [et] 55. Thomas Hummerstone de eadem—pro consimili &c.

- 56 Francesca Howard de Donston widow, 57. Ursula Dawson de Metherringam, 58. Willelmus dominus Widdrington de Blanckney, 59. Mr [blank] Hubbert de eadem generosus, 60. Mr [blank] Storey de eadem generosus, 61. Georgius Hixon de eadem, 62. Josephus Allen de eadem, 63. Thomas Herne de eadem, 64. Elizabetha Tayler de eadem, 65. Willelmus Allen de Scawpwick, 66. Willelmus Allen junior de eadem, 67. Davidus Fogarthy de eadem, 68. Hugo Allen de eadem<sup>1</sup>, 70. Anna Pridgeon de eadem, 71. Josephus Allen de eadem, [et] 72. Gervasius Allen de eadem—pro consimili &c.

Page 367.

73. Robertus Hallifeild de eadem, 74. Maria Gash de eadem, 75. Ellen Cabourne de Walcott, 76. Johannes Codde de Billingham, 77. Juditha Sympson de Hough super Montem, 78. Thomas Ashby de Hougham, 79. Jana Read de eadem, 80. Phillippus Easton de Boultham, 81. Thomas Browne de eadem, [et] 82. Willelmus Barker de Eagle—recusantes 3 menses.

#### ARRAINMENTA NULLA.

##### FINES.

De Freshevill Burton de North Hykam pro quodam fine soluto vicecomiti iis. *vid.*

De Roberto Pacey de Thorpe super montem iis. *vid.*

De Roberto Longlands de Hale magna iis. *vid.*

De Fortnato Howitt de Ingoldsby iis. *vid.*

##### EXITUS.

De Johanne Easton de Fulbecke quia non comparuit &c. xs. insol'.

Page 368.

#### INFORMACIONES SUR STATUTA.

(against next Sessions<sup>m</sup>)

- \* Anthonius Onyon de Digby, \* Jacobus Torey de eadem, \* Michaelis Bacon de Rowston, \* Franciscus Lyon de eadem, \* Ricardus Wilson de Anwicke, \* Robertus Morris de Ruskington, \* Robertus Clifton de eadem, (debet<sup>m</sup>) [et] \* Johannes Slater de Ruskington—pro ingrossando catalla apud Lincolne et Sleaford contra statutum E: 6. Memorandum to drawe information. (tis done)
- \* Anthonius Winter de Digby pro ingrossando cererem super terram crescentem. (Memorandum ut supra)
- \* Edwardus Beresford de Digby, \* Jonathan Smith de eadem, \* Ricardus Riley de Digby, [et] \* Edwardus Robinson de eadem—pro suscipiendo opus et recusando performare.

Page 369 [blank].

<sup>1</sup> 69 is omitted.

Page 370.

RECOGNITIONES.

Mr Shuttleworth.

\* Thomas Richardson de Kirkby Underwood pro pace. (sol<sup>m</sup>)

Captain Wigmore.

\* Philip Edmunds de Baston pro pace versus Bull.

\* Jacobus Clarke de eadem pro consimili versus eundem.

\* Radulphus Clarke de eadem pro consimili.

\* Samuel Sutton de (Vffington<sup>c</sup>) (Tallington<sup>l</sup>) victualler pro pace versus Lii' [*query for* Laurencii] Morris. (d<sup>m</sup>)

Captain Harrington.

\* Ricardus Andrews de North Wytham in xli. pro pace.

\* Gabriel Andrews de Threckingam in xxli. pro bastardia.

William Bayley of Folkingam chosen master of the house of correction in roome of Mr Lacey.

Page 371.

John Woodruffe gentleman, John Burch, Thomas Rastall, Henry Ireton, [and] Nicholas Pell—sworne to the oathes of allegiance & supremacy.

1<sup>o</sup> Octobr. '83.

Received of William Hyde esquire the sum of thirty two shillings and two pence for the Kings third part levyed upon John Miller and others for a conventicle in Post Witham. 1li. 12s. 2d.

Received alsoe the summe of eight shillings & tenne pence upon another conventicle. I say received 8s. 10d.

William Willerton dep. vic.

Page 372.

SLEAFORD. MICHAELMAS 1683.

Edward King esquire.

\* Johannes Oakes de Silke Willowby in xli. pro pace.

\* Sara Oakes de Silk Willowby in xli. pro pace versus [*sic*] (sol<sup>m</sup>)

≡ Luke Stephens de Sleaford in xli. pro bono gestu.

\* Ricardus Parkes de Sleaford Nova butcher pro consimili. (tenta de novo<sup>l</sup>) (debet<sup>em</sup>).

\* Davidus Leake de eadem in xli. pro pace versus [*sic*] (tenta de novo<sup>l</sup>)

\* Anna Stephens de eadem in xli. pro bono gestu.

in Curia.

\* Thomas Cooke de Hale magna in xxli. pro bono gestu.

≡ Christian Gibson de eadem in xxli. pro consimili.

Mr Berisford.

\* Chr. Ambler de Swinderby in xxli. pro bono gestu.

All estreates made out and sent into the exchequer thus farr per N[athaniel] S[mith] till the end of Michaelmas Sessions, last.

Page 373 [*blank*]







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